

**CITY OF CLAYTON BOARD OF ALDERMEN
TUESDAY, MARCH 28, 2017 - 6:15 P.M.
CLAYTON CITY HALL - COUNCIL CHAMBERS
10 N. BEMISTON AVENUE**

1. Presentation of the draft of the 2017 Citizen Survey.
 2. Presentation and update on the Center of Clayton's Capital Project Plan.
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**CITY OF CLAYTON BOARD OF ALDERMEN AGENDA
TUESDAY, MARCH 14, 2017 – 7:00 P.M.
CLAYTON CITY HALL - COUNCIL CHAMBERS
10 N. BEMISTON AVENUE**

ROLL CALL

MINUTES – March 14, 2016

PUBLIC REQUESTS & PETITIONS

PUBLIC HEARING

NOTE: At the request of the applicant the Public Hearing for 7601 and 7651 Clayton Road Project Planned Unit Development and Rezoning has been postponed.

1. Resolution – To approve a Conditional Use Permit (CUP) for 8321 Maryland Avenue (Regions Bank). (Res. No. 17-03)
 - *A public hearing to consider an application for a Conditional Use Permit submitted by R. Mark Naylor, agent on behalf of Regions Bank, for the installation/operation of a remote drive-through facility on the subject site.*

REPORT FROM THE CITY MANAGER

1. Ordinance – To authorize the city to join the Missouri Clean Energy District and Show Me Pace pursuant to the Property Assessment Clean Energy Act. (Bill No. 6606)
 - *To consider authorizing the adoption of the Property Assessed Clean Energy (PACE) financing program available to commercial and residential property owners. The program provides financing for all upfront costs of eligible energy efficient upgrades, renewable energy upgrades and energy audits for homes and businesses.*
2. Ordinance – To approve an amendment to Article XIII OF Chapter 215 of the Clayton City Code to increase the minimum age to acquire tobacco products to twenty-one years. (Bill No. 6607)
 - *To consider an amendment to set the minimum age to 21 years.*
3. Motion – To appoint a member to the Public Art Advisory Committee.

ADJOURNMENT

Subject to a motion duly made in open session and a roll call vote pursuant to Section 610.022 the Board of Aldermen may also hold a closed meeting, with a closed vote and record for one or more of the reasons as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, negotiation of a contract pursuant to Section 610.021(12) RSMO., proprietary information pursuant to Section 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO.

Agenda topics may be added or deleted at any time prior to the Board of Aldermen meeting without further notice. To inquire about the status of agenda topics, call 290.8469. Individuals who require an accommodation (i.e., sign language, interpreter, listening devices, etc.) to participate in the meeting should contact the City Clerk at 290.8469 or Relay Missouri at 1.800.735.2966 (TDD) at least two working days prior to the meeting.



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

BOARD UPDATE

TO: MAYOR SANGER; BOARD OF ALDERMEN
FROM: ANDREA MUSKOPF, ASSISTANT TO THE CITY MANAGER
DATE: MARCH 28, 2017
SUBJECT: DRAFT 2017 CITIZEN SURVEY

The purpose of this discussion is to provide the Board with a Draft 2017 Citizen Survey.

The items that are used as a national benchmark are highlighted in yellow and the questions which have been added to this year's survey are in red font. The survey needs to stay within 7 pages and some questions will need to be removed.

The questions must be finalized by Friday, March 31 in order for us to have the results for the Board's consideration at the Board retreat in May.



2017 City of Clayton Community Survey

Please take a few minutes to complete this survey. Your input is an important part of the City's ongoing effort to identify and respond to resident priorities. If you have questions, please call Andrea Muskopf at (314) 290-8473.

1. OVERALL SATISFACTION WITH CITY SERVICES: Using a scale of 1 to 5 where 5 means "very satisfied" and 1 means "very dissatisfied," please rate your satisfaction with each of the services listed below.

City Services	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied	Don't Know
1. Overall quality of public safety services - police, fire and ambulance/emergency medical (EMS)	5	4	3	2	1	9
2. Overall quality of City parks and recreation programs and facilities	5	4	3	2	1	9
3. Overall maintenance of City streets (Note: Clayton Rd., Big Bend, and Hanely Rd. are St. Louis County Roads)	5	4	3	2	1	9
4. Overall maintenance of City buildings/facilities	5	4	3	2	1	9
5. Overall enforcement of City codes and ordinances for buildings and housing	5	4	3	2	1	9
6. Overall quality of customer service you receive from City employees	5	4	3	2	1	9
7. Overall effectiveness of City communication with citizens	5	4	3	2	1	9
8. Overall flow of traffic and congestion management in the City	5	4	3	2	1	9

2. Which THREE of the above items do you think should receive the most emphasis from City leaders over the next TWO Years? [Write in the letters below using the numbers from the list in Question 1 above.]

1st: _____ 2nd: _____ 3rd: _____

3. Several items that may influence your perception of the City of Clayton are listed below. Please rate your satisfaction with each item on a scale of 1 to 5 where 5 means "excellent" and 1 means "poor."

How would you rate The City of Clayton:	Excellent	Good	Neutral	Below Average	Poor	Don't Know
1. Overall quality of services provided by the City	5	4	3	2	1	9
2. Overall value that you receive for your City tax dollars and fees	5	4	3	2	1	9
3. Overall image of the City	5	4	3	2	1	9
4. How well the City is planning and managing redevelopment	5	4	3	2	1	9
5. Overall quality of life in the City	5	4	3	2	1	9
6. Overall feeling of safety in the City	5	4	3	2	1	9
7. Quality of new residential development in the City	5	4	3	2	1	9
8. Quality of new commercial development in the City	5	4	3	2	1	9
9. Quality of plan review and permitting services	5	4	3	2	1	9
10. Overall appearance of the City	5	4	3	2	1	9
11. Quality of special events and cultural opportunities	5	4	3	2	1	9
12. Recreational opportunities in the City	5	4	3	2	1	9

4. **Public Safety:** For each of the items listed below, please rate your satisfaction on a scale of 1 to 5 where 5 means "very satisfied" and 1 means "very dissatisfied."

Public Safety	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied	Don't Know
1. The visibility of police in my neighborhoods	5	4	3	2	1	9
2. The visibility of police in retail areas	5	4	3	2	1	9
3. The City's efforts to prevent crime	5	4	3	2	1	9
4. How quickly police respond to emergencies	5	4	3	2	1	9
5. Overall competency of Clayton Police Dept	5	4	3	2	1	9
6. Overall treatment of citizens by the Clayton Police Department	5	4	3	2	1	9
7. Responsiveness of the Police Dept. in enforcing local traffic laws	5	4	3	2	1	9
8. Fairness of the Police Department's practices in enforcing local traffic laws	5	4	3	2	1	9
9. Overall quality of Clayton Fire Department	5	4	3	2	1	9
10. Overall quality of Clayton EMS	5	4	3	2	1	9
11. Effectiveness of fire prevention/safety programs	5	4	3	2	1	9
12. How quickly Fire Department responds	5	4	3	2	1	9
13. How quickly ambulance/EMS responds	5	4	3	2	1	9
14. Overall competency of Clayton Fire Dept, including ambulance service	5	4	3	2	1	9
15. The City's municipal court	5	4	3	2	1	9

5. Which **THREE** of the public safety items listed above would you recommend receive the most emphasis from City leaders over the next **TWO** Years? [Write in the letters below using the numbers from the list in Question 4 above.]

1st: _____ 2nd: _____ 3rd: _____

6. Are you trained to perform cardiopulmonary resuscitation (CPR) in the event of a cardiac arrest?

_____ (1) Yes _____ (2) No _____ (9) Don't know

7. Do you have an emergency preparedness plan for your family?

_____ (1) Yes _____ (2) No _____ (9) Don't know

9. Are you aware of the various educational presentations offered by the Fire Department?

_____ (1) Yes _____ (2) No _____ (9) Don't know

10. Are you aware of the various educational presentations offered by the Police Department?

_____ (1) Yes _____ (2) No _____ (9) Don't know

11. What are your biggest safety concerns?

12. How supportive are you of having public safety cameras in your neighborhood?

_____ (5) Very Supportive _____ (4) Supportive _____ (3) Somewhat Supportive
 _____ (2) Not Supportive _____ (1) Not at all Supportive _____ (9) Don't know

13. How supportive are you of having license plate reader technology deployed in your neighborhood to know who was in the neighborhood when crimes are committed?

_____ (5) Very Supportive _____ (4) Supportive _____ (3) Somewhat Supportive
 _____ (2) Not Supportive _____ (1) Not at all Supportive _____ (9) Don't know

14. Using a scale of 1 to 4 where 4 means “very safe” and 1 means “very unsafe,” please rate how safe you feel in the following situations:

How safe do you feel:		Very Safe	Somewhat Safe	Somewhat Unsafe	Very Unsafe	Don't Know
1.	Walking alone in your neighborhood after dark	4	3	2	1	9
2.	Walking alone in your neighborhood during the day	4	3	2	1	9
3.	Walking alone in business areas after dark	4	3	2	1	9
4.	Walking alone in business areas during the day	4	3	2	1	9

15. During the past 12 months, were you or anyone in your household the victim of any crime in Clayton?

_____ (1) Yes [go to Q15a] _____ (2) No [go to Q16] _____ (9) Don't know [go to Q16]

15a. If “yes”, did you report all of these crimes to the police?

_____ (1) Yes _____ (2) No _____ (9) Don't know

16. During the past 12 months, have you had ANY contact with the Clayton Police Department?

_____ (1) Yes [go to Q16a] _____ (2) No [go to Q17] _____ (9) Don't know [go to Q17]

16a. If “yes”, how would you rate the timeliness and contact?

_____ (1) Excellent _____ (2) Good _____ (3) Fair _____ (4) Poor _____ (9) Don't know

17. During the past 12 months, have you had ANY contact with the Clayton Fire Department?

_____ (1) Yes [go to Q17a] _____ (2) No [go to Q18] _____ (9) Don't know [go to Q18]

17a. If “yes”, how would you rate the timeliness and contact?

_____ (1) Excellent _____ (2) Good _____ (3) Fair _____ (4) Poor _____ (9) Don't know

18. During the past 12 months, have you had ANY contact with the ambulance/emergency medical services in Clayton? (1) Yes [go to Q18a] _____ (2) No [go to Q19] _____ (9) Don't know [go to Q19]

1a. If “yes”, how would you rate the timeliness and contact?

_____ (1) Excellent _____ (2) Good _____ (3) Fair _____ (4) Poor _____ (9) Don't know

19. City Maintenance/Public Works: For each of the items listed below, please rate your satisfaction on a scale of 1 to 5 where 5 means "very satisfied" and 1 means "very dissatisfied."

City Maintenance/Public Works		Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied	Don't Know
1.	Maintenance of street signs and traffic signals	5	4	3	2	1	9
2.	Maintenance of City buildings	5	4	3	2	1	9
3.	Snow removal on major City streets	5	4	3	2	1	9
4.	Adequacy of City street lighting	5	4	3	2	1	9
5.	Condition of City sidewalks	5	4	3	2	1	9
6.	Landscaping/appearance of public areas along City streets	5	4	3	2	1	9
7.	Satisfaction with tree trimming/replacement	5	4	3	2	1	9

20. Which THREE of the public works items listed above do you think should receive the most emphasis from City leaders over the next TWO Years? [Write in the letters below using the letters from the list in Question 11 above.]

1st. _____ 2nd. _____ 3rd. _____

21. Maintenance of City Streets: Using a scale of 1 to 5 where 5 means "very satisfied" and 1 means "very dissatisfied", please rate the below. Please note: Big Bend, Hanley and Clayton Roads, Shaw Park Drive and Forest Park Parkway are maintained by St. Louis County and should not be considered in your evaluation.

<i>Public Works Service</i>		<i>Very Satisfied</i>	<i>Satisfied</i>	<i>Neutral</i>	<i>Dissatisfied</i>	<i>Very Dissatisfied</i>	<i>Don't Know</i>
1.	The quality of street repair services	5	4	3	2	1	9
2.	The quality of street cleaning services	5	4	3	2	1	9
3.	The quality of snow removal services	5	4	3	2	1	9
4.	The frequency of street cleaning services	5	4	3	2	1	9
5.	The frequency of leaf collection services	5	4	3	2	1	9

22. Parks and Recreation: For each of the items listed below, please rate your satisfaction on a scale of 1 to 5 where 5 means "very satisfied" and 1 means "very dissatisfied."

<i>Parks and Recreation</i>		<i>Very Satisfied</i>	<i>Satisfied</i>	<i>Neutral</i>	<i>Dissatisfied</i>	<i>Very Dissatisfied</i>	<i>Don't Know</i>
1.	Maintenance of City parks	5	4	3	2	1	9
2.	How close neighborhood parks are to your home	5	4	3	2	1	9
3.	Number of walking and biking trails	5	4	3	2	1	9
4.	Quality of outdoor athletic fields	5	4	3	2	1	9
5.	Number of outdoor athletic fields	5	4	3	2	1	9
6.	Availability of information about City parks	5	4	3	2	1	9
7.	City's youth fitness programs	5	4	3	2	1	9
8.	City's adult fitness programs	5	4	3	2	1	9

23. Which THREE of the parks and recreation items listed above do you think should receive the most emphasis from City leaders over the next TWO Years? [Write in the letters below from the list in Question 14 above.]

1st: _____ 2nd: _____ 3rd: _____

24. Has anyone in your household used any of Clayton's parks, recreation facilities, or recreation programs during the past 12 months?

_____ (1) Yes _____ (2) No _____ (3) Don't know

25. Parks and Recreation Initiatives: For each of the items listed below, please indicate how important you think each of these initiatives is, on a scale of 1 to 4 where 4 means "very important" and 1 means "not important."

<i>Parks and Recreation Initiatives</i>		<i>Very Important</i>	<i>Important</i>	<i>Neutral</i>	<i>Not Important</i>	<i>Don't Know</i>
1.	Your feeling of safety in City parks	4	3	2	1	9
2.	Green space (park) expansion	4	3	2	1	9
3.	Hanley House preservation	4	3	2	1	9
4.	Neighborhood park improvements	4	3	2	1	9
5.	Playground improvements	4	3	2	1	9
6.	Park maintenance	4	3	2	1	9

26. Please choose three of the priorities in Question 28 that are of highest priority for you and your family. [Write in the letters below from the list in Question 28 above.]

1st: _____ 2nd: _____ 3rd: _____

27. Please check ALL of the City Programs for Residents 55 and over that you have heard of?

_____ (1) Senior rates at recreation facilities _____ (3) Battery checks for smoke detectors
 _____ (2) Programs offered by OASIS at the Center, _____ (4) Injury prevention assessment of home
 including classes, discussions and more _____ (5) Prescription drug disposal

28. How supportive are you of the City providing the following programs for Residents 55 and over? Rate each item on a scale of 1 to 5 where 5 means "very supportive" and 1 means "not at all supportive".

		Very Supportive	Somewhat Supportive	Supportive	Not Supportive	Not at all Supportive	Don't Know
1.	Programs to reduce the risk of depression	5	4	3	2	1	9
2.	More physical fitness opportunities	5	4	3	2	1	9
3.	Subsidized public transportation	5	4	3	2	1	9
4.	Annual social event (i.e. Coffee with the Mayor)	5	4	3	2	1	9
5.	A page on the City's website with enhanced information about senior services	5	4	3	2	1	9

29. City Communication: For each of the items listed below, please rate how often you use each one, and how effective you feel it is in keeping you informed about City services, programs, and projects.

City Communication		My Usage					Effectiveness				
		Often				Never	Effective				Ineffective
1.	The City website, www.claytonmo.gov	5	4	3	2	1	5	4	3	2	1
2.	CityViews newsletter	5	4	3	2	1	5	4	3	2	1
3.	Parks and Recreation guide	5	4	3	2	1	5	4	3	2	1
4.	E-communications (Clayton Connection, Centerline, etc.)	5	4	3	2	1	5	4	3	2	1
5.	Facebook (City of Clayton, MO)	5	4	3	2	1	5	4	3	2	1
6.	Twitter (@CityofClayton)	5	4	3	2	1	5	4	3	2	1

30. City Communications: For each of the items listed below, please rate your satisfaction on a scale of 1 to 5 where 5 means "very satisfied" and 1 means "very dissatisfied."

City Communication		Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied	Don't Know
1.	The availability of information about City programs and services	5	4	3	2	1	9
2.	City's efforts to keep you informed about local issues	5	4	3	2	1	9
3.	How open the City is to public involvement and input from residents	5	4	3	2	1	9
4.	The quality of the City's website	5	4	3	2	1	9
5.	How well the City's communications meet your needs	5	4	3	2	1	9

31. Please check the ways you get your information about local programs, events & news.

____ (1) Neighborhood event/meeting
 ____ (2) Coffee shop
 ____ (3) Church/Places of worship
 ____ (4) School playground
 ____ (5) City newsletter
 ____ (6) City website
 ____ (7) Flyers/posters
 ____ (8) From friends & neighbors
 ____ (9) Newspaper
 ____ (10) Television
 ____ (11) Twitter
 ____ (12) Facebook
 ____ (13) Radio
 ____ (14) Videos
 ____ (15) Podcasts
 ____ (16) Other: _____

32. How satisfied are you with culture, dining and shopping in Clayton?

____ (1) Very Satisfied
 ____ (2) Satisfied
 ____ (3) Neutral
 ____ (4) Dissatisfied
 ____ (5) Very Dissatisfied
 ____ (6) Don't Know

33. Waste Collection Service. For each of the items listed below, please rate your satisfaction on a scale of 1 to 5 where 5 means "very satisfied" and 1 means "very dissatisfied."

<i>Trash Service</i>		<i>Very Satisfied</i>	<i>Satisfied</i>	<i>Neutral</i>	<i>Dissatisfied</i>	<i>Very Dissatisfied</i>	<i>Don't Know</i>
A.	Quality of residential trash collection services	5	4	3	2	1	9
B.	Quality of recycling collection services	5	4	3	2	1	9
C.	Quality of yard waste collection services	5	4	3	2	1	9

34. Enforcement of Property Maintenance Codes: For each of the items listed below, please rate your satisfaction on a scale of 1 to 5 where 5 means "very satisfied" and 1 means "very dissatisfied."

<i>Property Maintenance Codes</i>		<i>Very Satisfied</i>	<i>Satisfied</i>	<i>Neutral</i>	<i>Dissatisfied</i>	<i>Very Dissatisfied</i>	<i>Don't Know</i>
1.	Enforcing the cleanup of litter and debris on private property	5	4	3	2	1	9
2.	Enforcing the mowing and trimming of lawns on private property	5	4	3	2	1	9
3.	Enforcing the maintenance of residential property (exterior of homes)	5	4	3	2	1	9
4.	Enforcing the maintenance of business property	5	4	3	2	1	9
5.	Enforcing codes designed to protect public safety	5	4	3	2	1	9

35. Over the last year have you ever contacted the City's Planning and Development Services Department to report a Code Enforcement Violation?

_____ (1) Yes [go to Q35a] _____ (2) No [go to Q36]

35a. Which of the categories in Question 37 were you calling to report? Circle all that apply: 1 2 3 4 5

36. Planning and Development Process: Please rate your overall satisfaction of the City's planning and development process.

<i>Planning and Development Process</i>		<i>Very Satisfied</i>	<i>Satisfied</i>	<i>Neutral</i>	<i>Dissatisfied</i>	<i>Very Dissatisfied</i>	<i>Don't Know</i>
1.	Transparency of development and planning process for commercial and residential projects	5	4	3	2	1	9
2.	Development plan review (Including staff, Planning Commission/ARB, and Board of Aldermen review)	5	4	3	2	1	9
3.	Quality of development	5	4	3	2	1	9
4.	Opportunity for public input in development process	5	4	3	2	1	9
5.	Availability of information about current and proposed projects	5	4	3	2	1	9

37. If you answered "Dissatisfied" or "Very Dissatisfied" for items 1-5 of Question 36, please explain:

38. Influence: The following is a list people who might influence someone's decision on a public issue. Please rank these individuals in order of most influential (1) to least influential.

Influence	1 st	2 nd	3 rd	4 th	5 th
1. Mayor and Board of Aldermen					
2. A neighbor					
3. City Administration					
4. City Employee					
5. Subdivision Trustee					

39. Do you trust the City of Clayton to act in the best interest of the community?

_____ (1) Yes _____ (2) No

40. Customer Service: Have you contacted the City with a question, problem, or complaint during the past year?

_____ (1) Yes [go to Q40a-b] _____ (2) No [go to Q41]

40a. Which City department did you contact most recently? _____

40b. Several factors that may influence your perception of the quality of customer service you receive from City employees are listed below. Using a scale of 1 to 5 where 5 means "very satisfied" and 1 means "very dissatisfied", please rate your satisfaction with the customer service you received from the City department you listed in Q40a.

Customer Service	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied	Don't Know
1. How easy the department was to contact	5	4	3	2	1	9
2. How courteously you were treated	5	4	3	2	1	9
3. Technical competence and knowledge of City employees who assisted you	5	4	3	2	1	9
4. Overall responsiveness of City employees to your request or concern	5	4	3	2	1	9

41. Transportation: For each of the items listed, please rate your satisfaction on a scale of 1 to 5 where 5 means "very satisfied" and 1 means "very dissatisfied."

Transportation	Very Satisfied	Satisfied	Neutral	Dissatisfied	Very Dissatisfied	Don't Know
1. Ease of north/south travel	5	4	3	2	1	9
2. Ease of east/west travel	5	4	3	2	1	9
3. Ease of travel from home to schools	5	4	3	2	1	9
4. Ease of travel from your home to work	5	4	3	2	1	9
5. Availability of public transportation	5	4	3	2	1	9
6. Availability of bicycle lanes	5	4	3	2	1	9
7. Availability of pedestrian walkways	5	4	3	2	1	9
8. Availability of parking in residential areas	5	4	3	2	1	9
9. Availability of parking in business district	5	4	3	2	1	9

DEMOGRAPHICS

42. How long have you been a resident of Clayton? _____ Years

43. If you have lived in Clayton for less than 10 years, from where did you move?

City _____, State _____

44. Which of the following best describes your household?

- ____ (1) Own – Single Family Home
 ____ (2) Own – Multifamily (Condo, Apartment, Duplex)
 ____ (3) Rent or Lease – Single Family Home
 ____ (4) Rent or Lease – Multifamily (Condo, Apartment, Duplex)

45. What is your age?

- ____ (1) under 25 ____ (3) 35 to 44 ____ (5) 55 to 64
 ____ (2) 25 to 34 ____ (4) 45 to 54 ____ (6) 65+

46. How many in your household (counting yourself), are?

- | | | | |
|------------------|-----------------|-----------------|-----------------|
| Under age 5 ____ | Ages 15-19 ____ | Ages 35-44 ____ | Ages 65-74 ____ |
| Ages 5-9 ____ | Ages 20-24 ____ | Ages 45-54 ____ | Ages 75+ ____ |
| Ages 10-14 ____ | Ages 25-34 ____ | Ages 55-64 ____ | |

47. Would you say your total annual household income is:

- ____ (1) Under \$30,000 ____ (3) \$60,000 to \$99,999 ____ (5) \$150,000 to \$199,999
 ____ (2) \$30,000 to \$59,999 ____ (4) \$100,000 to \$149,999 ____ (6) over \$200,000

48. Which of the following best describes your race/ethnicity?

- ____ (1) White/Caucasian ____ (3) Hispanic/Latino/Spanish ____ (5) Asian/Pacific Islander
 ____ (2) African American/Black ____ (4) Native American/Eskimo ____ (6) Other _____

49. Your gender: ____ (1) Male ____ (2) Female

50. If you are interested in receiving automated phone message news/emergency alerts and/or weekly e-mail news updates, please provide your phone number _____; e-mail address _____

This concludes the survey. Thank you for your time!

Please Return Your Completed Survey in the Enclosed Postage Paid Envelope to:
 ETC Institute, 725 W. Frontier Circle, Olathe, KS 66061

Your responses will remain Completely Confidential. The information printed on the right will ONLY be used to help identify which areas of the City are having problems with city services. If your address is not correct, please provide the correct information. Thank you.



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

BOARD UPDATE

TO: MAYOR SANGER; BOARD OF ALDERMEN
FROM: CRAIG S. OWENS, CITY MANAGER (CSO)
PATTY DEFORREST, PARKS AND RECREATION DIRECTOR
DATE: MARCH 28, 2017
SUBJECT: REPORT ON CAPITAL PLAN FOR THE CENTER OF CLAYTON

At Tuesday night's discussion session we will be reviewing the proposed Capital Project Plan for the Center of Clayton. As you know, the Center of Clayton opened on May 1, 2000. During the past 17 years more than 10 million people have passed through its doors. Whether they are members, students, athletes or the variety of guests and visitors who come to the Center on the daily basis, this use has exceeded expectations. Throughout these years, maintenance and repair of the infrastructure has been done as needed. As this \$30 million dollar asset nears its twenty year mark, it is in need of an infusion of capital to preserve and protect the investment, improve energy conservation and enhance its aesthetic and operational appeal to all who utilize the facility.

Last year a team of consultants, led by Jacobs Engineering, conducted a Building Assessment in order to provide recommendations to enable the CRSWC, Board of Aldermen (BOA) and Board of Education (BOE) to develop project priorities and a project budget with an emphasis on preservation, enhancement, and energy conservation. Inspections were conducted and interviews were held with staff to compile information in order to create a comprehensive list of needs. Additionally, surveys were conducted with our members as well as the broader community to gather their input on needs and improvements desired.

From the Building Assessment and survey data as well as known conditions, a list of projects was developed. The total estimated cost for projects identified is \$7,751,550. As this is significantly more than anticipated, the list was prioritized by staff and the Finance Committee and approved by the Clayton Recreation, Sports and Wellness Commission (CRSWC) at their February 17, 2017 meeting. The attached presentation has been developed to give you an overview of the process and plan for the work. We have also included the project list (Exhibit A) and the Building Assessment (Exhibit B).

In order to complete this work, the CRSWC is asking that the City of Clayton and School District of Clayton contribute a total of \$6 million, in equal shares, to fund the project in 2019. It is anticipated that work on design and bidding would take place in 2018 with the majority of work being completed in calendar year 2019. The City has included these funds in their capital plan which will be considered by the Board of Aldermen at their April 4, 2017 meeting.



The Center of Clayton

Capital Project Recommendations

About The Center

- Opened May 1, 2000
- Replacement value = \$30 million
- BOA/BOE Contributions:
 - 2000 = \$500,000+
 - 2005 = \$225,000
 - 2010 = \$367,760
 - 2015 = \$200,000
 - 2017 = \$200,000

Project Goals

- Preserve Facility and Protect Investment
- Enhance Facility based upon member and community survey feedback
- Sustainability:
 - Energy Conservation
 - Membership growth to hold down contribution from District and City

Competitor Comparison

- Ballwin *Pointe* = \$4.9 million in 2014
- Des Peres *Lodge* = \$4.7 million in 2015
- *The Heights* = Anticipate \$19 million in 2018/2019
- Wellbridge = New facility in 2018/2019 as part of Centene Project

Project Benefits

- Member Benefits
 - Fitness Center Expansion (57% of members)
 - Locker Room Improvements (48% of members)
- Student Benefits
 - Gymnasiums
 - Natatorium
 - Equipment
- Additional Benefits
 - Improved security
 - Improved air & water quality
 - Enhancement of Facility
 - Competitive in the Market

Building Assessment

Jacobs Engineering and Westport Pools completed Building Assessment to provide general conditions documentation in preparation for possible renovations and/or upgrades to the facility. (p.6)

Priority Capital Projects

First Floor	Projected Investment
Natatorium	\$1,445,200
Locker Rooms	\$147,440
Lobby	\$73,190
Restrooms	\$34,020
Meeting Rooms	\$76,110
Gymnasiums – Courts 3 & 4	\$366,710
Gymnasiums – Courts 1 & 2	\$99,490
Power Lifting Room	\$153,750
Second Floor	
Fitness Center	\$526,760
Lobby	\$16,040
Restrooms	\$27,450
System-Wide	
Roof	\$830,250
Parking Lot	\$172,200
New Fitness Addition	\$1,845,000
Total Investment	\$5,813,610

Optional Capital Projects

Secure Bid Alternates and include if funding is available:

- New HVAC (4) = \$713,400
- Addition to Natatorium – sauna, party room = \$509,840
- New Play feature in Leisure Pool = \$92,250
- Painting, partitions, LED Lights, etc. throughout the facility = \$622,450
- Total cost = \$1,937,940

Next Steps

- Complete Design work on Fitness Expansion and other related projects in 2018
- Bid high cost, long lead time equipment in 2018
- Prepare construction timeline
- Bid projects in late 2018/early 2019
- Begin work in 2019

Proposed Capital Projects - The Center of Clayton			
Task	Page # in Assessment	Recommended	Options
Natatorium - First Floor			
Pool Deck Refinishing	11	\$137,710	
Replace Dectrons	14	\$1,230,000	
Paint Walls	11		\$24,600
LED Light Fixtures	20-21		\$79,670
Locker Rooms - First Floor			
Corridor Doors	11	\$7,380	
Epoxy Quartz Floors	11	\$75,120	
Shower Valves/Heads	11	\$64,940	
LED Light Fixtures	20-21		\$12,360
Paint Walls	11		\$19,680
Shower Partitions	11		\$70,360
Lobby and Corridors - First Floor			
Control Desk	11,12	\$61,500	
Security Glass Wall	11,12	\$5,540	
Misc. Electrical	20-21	\$6,150	
Replace Tile Flooring	11		\$147,530
Cove Base	11		\$15,410
LED Light Fixtures	20-21		\$3,690
Restrooms - First Floor			
Replace Floor Tile	12	\$9,530	
Cove Base	12	\$2,180	
Toilet Partitions	12	\$15,740	
Women's HC Toilet	12	\$3,080	
Paint Walls	12	\$3,490	
Lavatory Counters	12		\$3,250
Lavatories	12		\$7,380
LED Light Fixtures	20-21		\$1,540

Proposed Capital Projects - The Center of Clayton			
Task	Page # in Assessment	Recommended	Options
Meeting Rooms - First Floor			
New Carpet	12	\$25,260	
Base	12	\$1,010	
Refinish Wood Floor	12	\$3,710	
Refinish Cabinets	12	\$9,230	
New Movable Walls	12	\$36,900	
Gymnasium - Courts 3 & 4 First Floor			
Demo/Prep Floor	12	\$32,180	
Vapor Barrier	12	\$16,090	
Synthetic Flooring	12	\$241,380	
Paint Walls	12	\$44,000	
Refurbish Curtain	12	\$25,980	
Wall Pads	12	\$7,080	
HVAC Variable Speed	17		\$12,300
Daylight Controls	20-21		\$16,090
Gymnasium - Courts 1 & 2 First Floor			
Wall Panels @ Corridor	12	\$35,420	
Wall Pads	12	\$7,080	
Paint Walls	12	\$44,000	
Refurbish Curtains	12	\$12,990	
HVAC Variable Speed	16		\$12,300
Daylight Controls	20		\$16,090
Power Lifting Room - First Floor			
New Rubber Flooring	12	\$30,750	
Paint Walls	12		\$2,460
LED Lights	20-21		\$3,690

Proposed Capital Projects - The Center of Clayton			
Task	Page # in Assessment	Recommended	Options
Fitness Center - Second Floor			
Refinish Track	12	\$94,410	
New HVAC RTU (1)	15	\$258,300	
New HVAC Curb	15	\$8,000	
Roof Crickets	16	\$12,300	
New Wall Mat @ South Wall	12		\$20,300
Paint Walls	12		\$7,450
New HVAC (4)	15-16		\$713,400
LED Light Fixtures	20-21		\$39,710
Lobby & Corridor - Second Floor			
Paint Walls	12	\$16,040	
Replace Carpet	12		\$55,280
Wall Base	12		\$2,810
Check-in @ Link	12		\$6,150
LED Light Fixtures	20-21		\$11,850
Restrooms - Second Floor			
Replace Floor Tile	11	\$9,530	
Cove Base	11	\$2,180	
Toilet Partitions	11	\$15,740	
Lavatory Counters	12		\$3,250
Lavatories	12		\$7,380
Paint Walls	12		\$3,570
LED Light Fixtures	20-21		\$1,540
Swimming Pools/Systems			
Pool Mechanical			
Variable Frequency Drives	24		\$14,760
Competition Pool			
Replace Grating	25	\$57,810	

Proposed Capital Projects - The Center of Clayton			
Task	Page # in Assessment	Recommended	Options
Leisure Pool			
Sandblast/Paint	25	\$19,680	
New Play Feature	25		\$92,250
Roof			
Replace Low Slope Roofing	26	\$830,250	
Parking Lot			
Mill and Overlay - West Parking Lot	27	\$123,000	
New Lighting (8 additional light poles)	27	\$49,200	
Additional Considerations			
2-Story Fitness Expansion	13	\$1,845,000	
Replacement of Selectorized Fitness Equipment		\$153,750	
Replacement of Equipment in Power Lifting Room		\$123,000	
West Addition to Natatorium	13		\$509,840
Total Cost		\$5,813,610	\$1,937,940

Building Property Condition Assessment

For

**Center of Clayton
located at**

**50 Gay Avenue
Clayton, Missouri 63105**



November 2016

Prepared by

JACOBS™

501 N. Broadway
St. Louis, MO 63102

**WESTPORT
POOLS**

156 Weldon Parkway
St. Louis, MO 63043

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- 4.3 City Staff Interviews

APPENDIX

Swimming Pool Systems Assessment Report by Westport Pools

PART 1: EXECUTIVE SUMMARY

1.1 General Description

Purpose

The Clayton Recreation, Sports and Wellness Commission (CRSWC) has commenced planning improvements for the Center of Clayton, comprised of four gymnasiums, 20,663 square feet of indoor aquatic areas, a suspended jogging track, weight lifting and cardio fitness, aerobic/dance areas, a 30-foot climbing wall, classrooms, lounge, Subway and 2,600 square feet of meeting rooms. The total gross area is 94,400 square feet. The facility opened in 2000.

This assessment includes recommendations to enable the CRSWC to develop Investment priorities with an emphasis on “Preserve, Enhance, and Conserve Energy.”

Preliminarily, the Owner has identified these components of the facility as requiring replacements, upgrades, renovations or demolition with re-development:

Preserve

- Remodel/ Renovate the Gymnasium Spaces
- Remodel/ Renovate the Meeting Spaces
- Remodel and Upgrade Security controls

Enhance

- Upgrade the Locker Room plumbing, finishes, HVAC, lighting
- Add Fitness Center program area
- Add Revenue-producing multi-purpose space to the Natatorium
- Update Public Restrooms finishes and fixtures
- Brighten finishes and lighting in general public areas

Conserve Energy

- Add new energy saving lighting and motion sensors
- Upgrade natatorium HVAC and air distribution
- Add frequency drives on chillers
- Installation of variable frequency drives on the pool pump motors

1.2 Recommendations

Categories

Recommendations are grouped into three categories:

Category 1: Immediate Needs. These items include code issues that need to be corrected, life safety issues, or are items that pose an operational risk such as risk of equipment failure.

Category 2: Items Strongly to Consider. These items include operational issues or concerns that, while not code or life safety deficiencies, have an impact upon occupant comfort; programming and customer service; items or repairs that may need to be addressed in the mid-term; and recommendations that can be used for budgeting purposes or that should be included in future upgrades.

Category 3: Future Consideration Items. These items include long-term improvements to ensure the facility will operate efficiently for the next 20 years. Items such as replacement of the facility exterior envelope and selective facility demolition/replacement would be future considerations that may affect decisions on Category 2 recommendations.

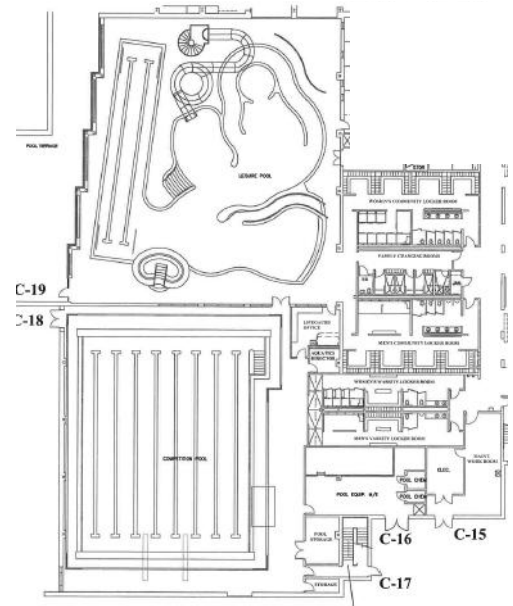
Building Areas

The building assessment and recommendations will be assigned to specific building areas (rooms sharing similar characteristics like the locker room core) and facility-wide recommendations. Rooms falling under these Area designations and a demarcated floor plan are on the next pages.

CENTER of CLAYTON – BUILDING AREA DESIGNATIONS

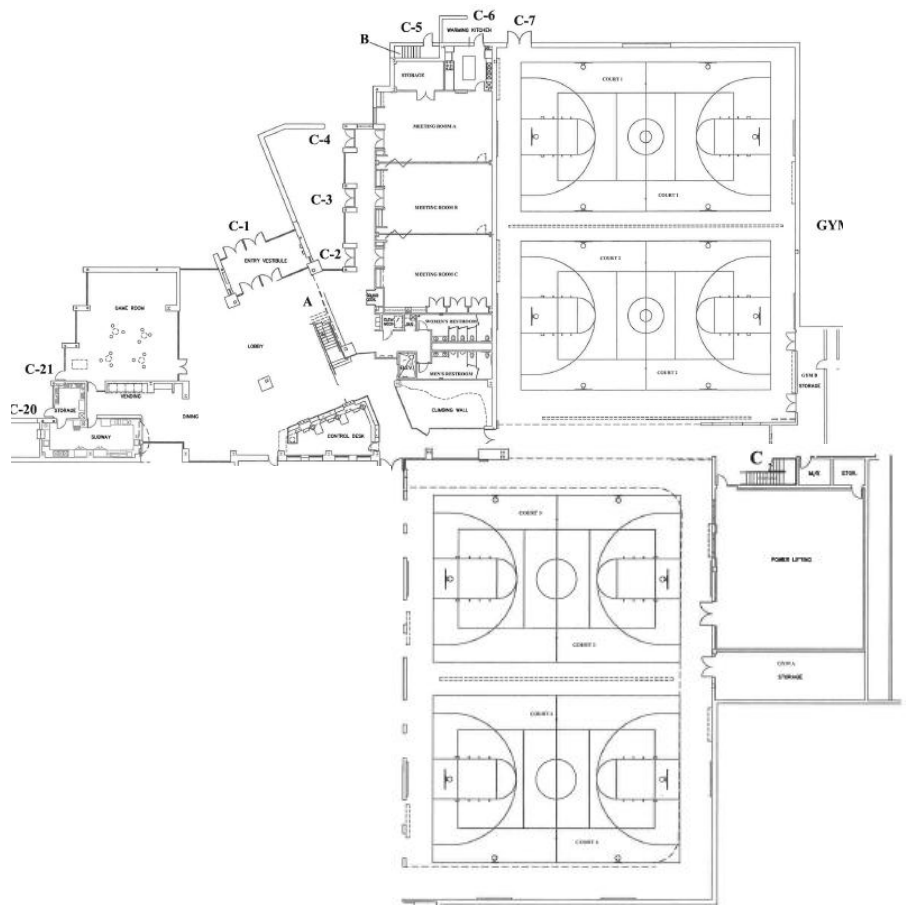
Area 1 – Level 1 Wet Areas

Leisure Pool
 Competition Pool
 Lifeguard Office
 Aquatics Director Office
 Pool Equipment
 Women's Community Locker Room
 Family Changing Rooms
 Men's Community Locker Room
 Women's Varsity Locker Room
 Men's Varsity Locker Room
 Maintenance Work Room
 Electrical Room



Area 2 – Level 1 Dry Areas

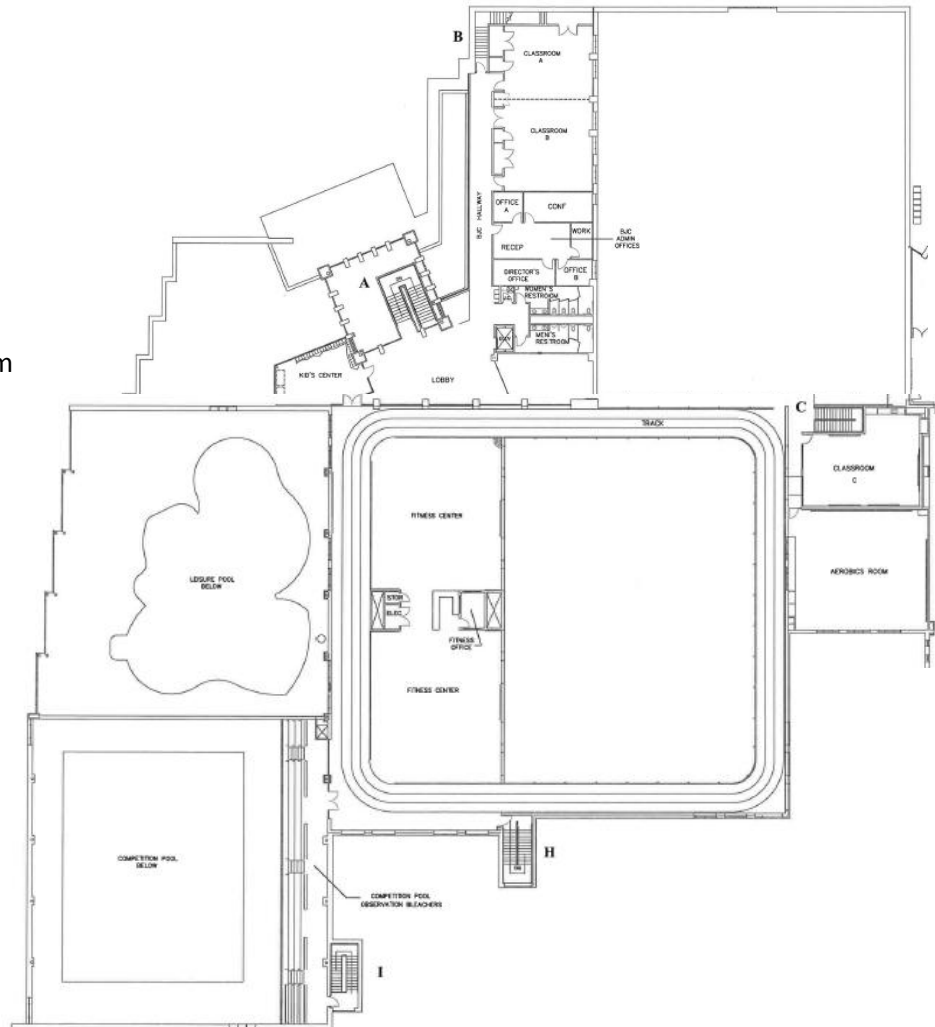
Entry Vestibule
 Lobby
 Control Desk
 YAC
 Vending/Dining
 Subway Restaurant
 Gymnasium Courts 1 and 2
 Gymnasium Courts 3 and 4
 Power Lifting Room
 Meeting Room A, B and C
 Warming Kitchen
 Storage
 Men's Rest Rooms
 Women's Rest Room
 Custodian Closet
 Climbing Wall
 Administration Open Office
 Offices (5)
 Break/Work Room
 Storage



CENTER of CLAYTON – BUILDING AREA DESIGNATIONS

Area 3 – Level 2 Multipurpose/Fitness

Fitness Center
Walking Track
Fitness Office
Lobby
Kid's Center
Classroom A and B
Aerobics Room
Mind & Body Room
Oasis Offices
Men's Rest Room
Women's Rest Room
Custodian Closet



PART 2: PURPOSE AND SCOPE

2.1 Purpose

Purpose

The purpose of this Building Condition Assessment is to provide general conditions documentation in preparation for the possible renovations and/or upgrades to the facility.

The goal of the Building Condition Assessment is to identify and communicate physical deficiencies of the facility to the Clayton Recreation, Sports and Wellness Commission (CRSWC). This report documents our collected observations including pertinent field and interview notes, reference documents, identification of deficiencies observed, recommendations, and order of magnitude estimate of probable cost of each recommendation.

For purposes of this assessment, a deficiency is defined as the presence of conspicuous defect or material deferred maintenance of the facilities systems, components and equipments as observed during the field team's walk-through survey. This definition excludes deficiencies that can be categorized as normal maintenance items, miscellaneous minor repairs, and normal preventive maintenance.

2.2 Scope of Work

The condition assessment team participated in the following activities.

Document Review: Review of any construction documents provided prior to conducting interviews or performing the walk-through.

Interviews: The architects and engineers conducted interviews with City of Clayton Parks and Recreation management, Clayton School District, CRSWC, facility staff, and the current complex management and maintenance personnel. The purpose was to help answer any questions developed from the documentation review and augment the understanding of the current conditions of the facility prior to the walk-through.

Walk-Through Survey: The walk-through allowed for the assessment team to observe and identify the property's interior physical defects, systems, and equipment deficiencies. The assessment was a non-destructive visual observation of the readily accessible components and systems. The reviewers observed the age, condition and provided an assessment of the condition of major building materials and systems.

Building Assessment Report: Jacobs combined the documents gathered during the process including field notes and interview notes, lists or description of deficiencies, recommendations and rough order of magnitude cost estimates into this report.

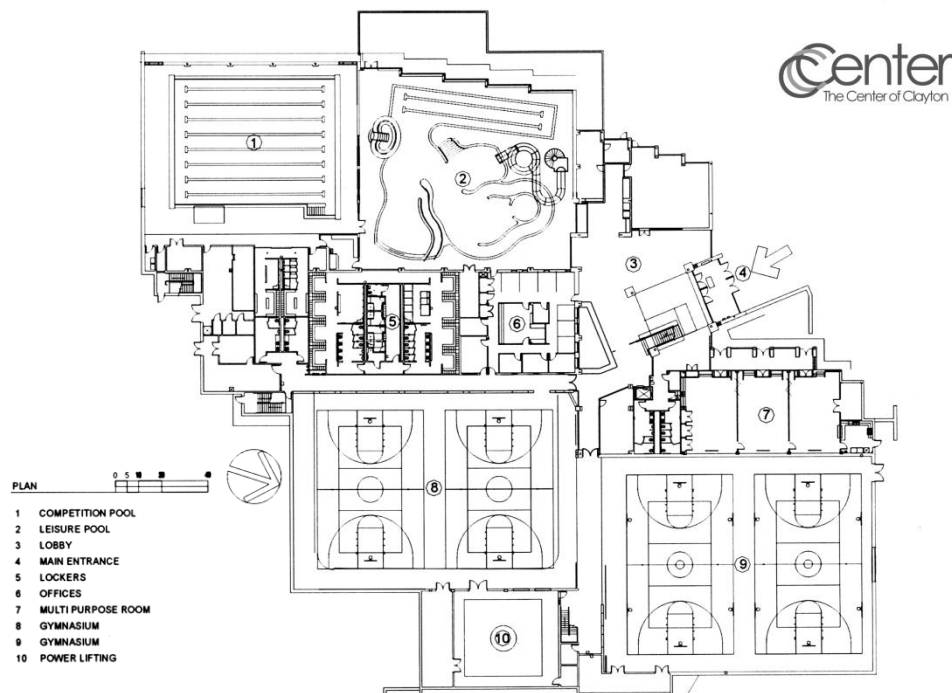
PART 3: SYSTEM DESCRIPTION AND OBSERVATIONS

General Description

The Center of Clayton is 94,400 gross square feet and comprised of four gymnasiums, 20,663 square feet of indoor aquatic areas, a suspended jogging track, weight lifting and cardio fitness, aerobic/dance areas, a 30-foot climbing wall, classrooms, lounge, Subway and 2,600 square feet of meeting rooms. The facility opened in 2000.



Main Entrance to the Center of Clayton



Level 1 Floor Plan

PART 3: SYSTEM DESCRIPTION AND OBSERVATIONS

3.1 Architectural

General Description

The Center of Clayton is comprised of several functional areas:

- **Area 1** – Level 1 Wet Areas
- **Area 2** – Level 1 Dry Areas
- **Area 3** – level 2 Multipurpose/Fitness

Observations

Level 1 Wet Areas

The dark-colored horizontal surfaces throughout the facility project dated appearance. The Natatorium and Locker Rooms have the worst appearance. Addressing these areas will give the facility a cleaner and brighter feel for customers. The Locker Rooms and Family Changing Rooms are inadequately sized for the occupancy capacity of the facility and need to be visually opened up. Specific architectural recommendations for these spaces will follow in this section.

Level 1 Dry Areas

The Lobby layout does not physically direct customers to the control desk pay point and allows visitors to access the facility below the grand stairway. Again, Lobby floor finishes are dark, dated and cracking in some areas blending with the natural brick walls to create a monotone color palate that is not very bright or inviting. Public Rest Rooms have similar issues with the floor finishes.

Multipurpose Rooms are still visually appealing though show the wear of 16 years use that will require overall refinishing.

The Gymnasium areas are in generally good condition though the synthetic flooring in Courts 3 & 4 requires replacement and below slab moisture infiltration addressed. Ground water may also be causing the wood floor in Courts 1 & 2 to buckle and the floor slab in the Break Room to be heaving.

Level 2 Multipurpose/Fitness

The Fitness Center is undersized for the occupancy capacity of the facility and requires reconfiguration for added flexibility of equipment layouts. Access from the High School can also be an issue and needs to be addressed at the “link.” Floor finishes and

paint colors are on the dark side of the spectrum and if brightened up can visually open up the area.

Recommendations

Category 1

Area 1 – Level 1 Wet Areas

1. No immediate issues

Area 2 – Level 1 Dry Areas

1. Investigate soils conditions below floor slab in Administration Break Room – floor slab is heaving possibly due to ground water. Also, there are potential ground water issues below Gym floor that may require investigation.

Area 3 – Level 2 Multipurpose/Fitness

1. No immediate issues.

Category 2

Area 1 – Level 1 Wet Areas

1. Install epoxy quartz floor finish over existing concrete decks in both Natatorium spaces.
2. Install epoxy quartz floor finish over existing ceramic tile flooring and wall base in all Locker Rooms and Family Changing Room. Repaint all rooms.
3. Replace shower partitions with solid plastic that can receive new surface mounted shower heads/valves.
4. Replace Family Changing Room doors to Corridor and Natatorium with units with vision panels. Replace doors to Changing Rooms to aluminum storefront units with full, frosted glazing.

Area 2 – Level 1 Dry Areas

1. Replace existing Lobby and Corridor floor tiles with brighter porcelain ceramic tile. Paint selected brick walls with a lighter color paint. Add glass wall (similar to History Society) at grand stair to the rest room area to secure the facility control point.



Potential ground water infiltration at Office and Gym



Scale on concrete deck



Replace Rest Room finishes and light coves



Gymnasium finishes and accessories updates

2. Replace existing Rest Room floor tiles, toilet partitions, and counters/sinks. Paint all walls.
3. Replace Meeting Room carpets, refinish wood floors and cabinets, and paint walls. Verify movable wall gaskets are operating effectively and replace as required.
4. Replace Gymnasium (Courts 1 and 2) synthetic flooring including installing fluid applied vapor barrier on existing concrete. Paint all walls (darker tone for first 8 feet), replace walls pads, and refurbish vinyl bottoms of divider curtains. Install impact-resistant, transparent wall panels in wall openings to corridor.
5. Replace rubber flooring in Power Lifting Room and paint walls.

Area 3 – Level 2 Multipurpose/Fitness

1. Consider relocating existing Fitness Center office closer to Lobby to allow more flexibility of equipment layout/supervision.
2. Refinish existing track surface.
3. Install phenolic wall panels along Fitness Center south wall to provide brighter and easily maintained finish.
4. Add check-in station at link to High School.
5. Replace existing Rest Room floor tiles, toilet partitions, and counters/sinks. Paint all walls.

Category 3

Area 1 – Level 1 Wet Areas

1. No immediate issues.

Area 2 – Level 1 Dry Areas

1. No immediate issues.

Area 3 – Level 2 Multipurpose/Fitness

1. No immediate issues.

Area 1 – Level 1 Wet Areas

Area 1 – Level 1 Wet Areas

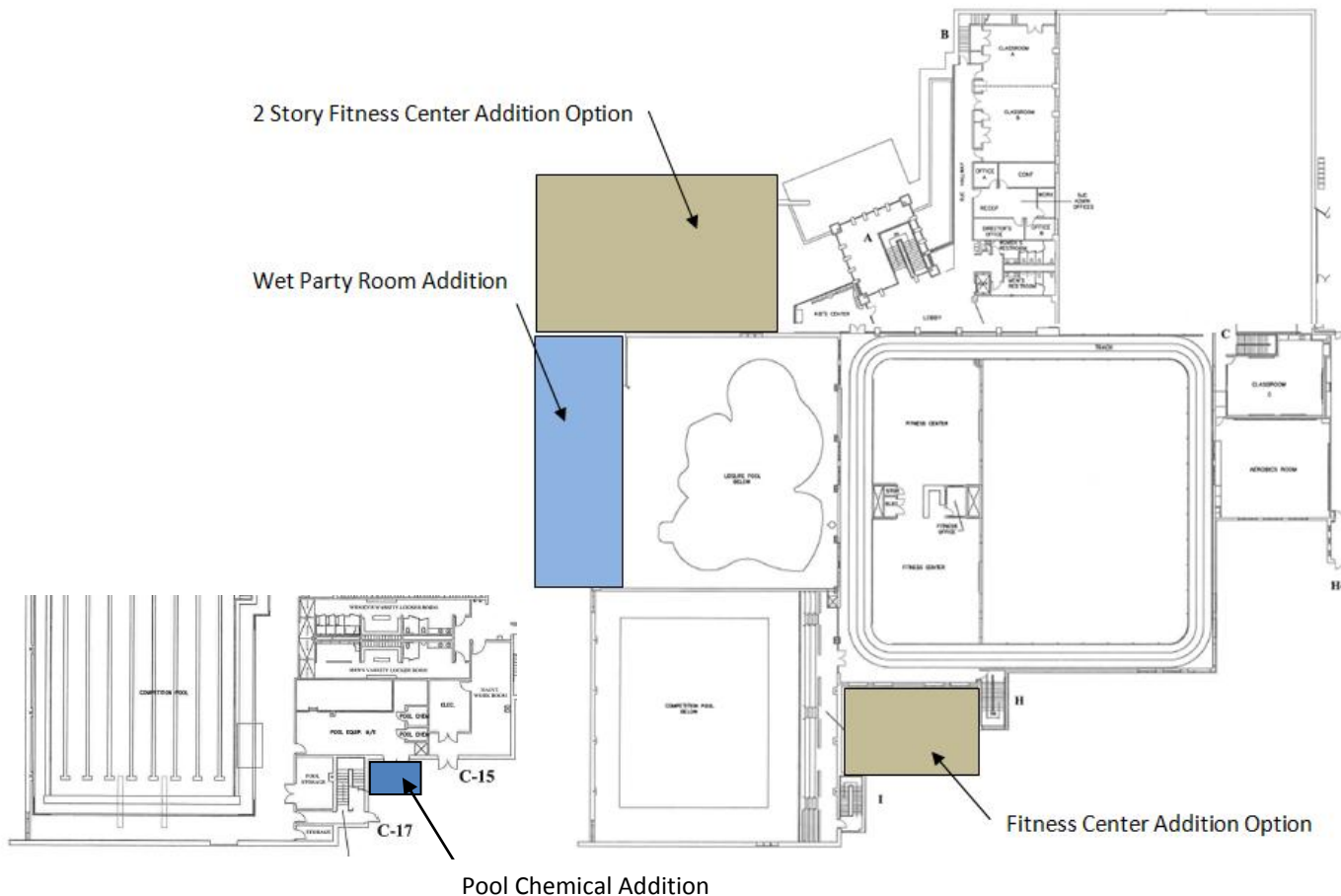
1. Provide the following new spaces in a building addition (1,500 SF) adjacent to the Natatorium on the existing patio:
2 wet party rooms (with movable wall) for 25 persons each (750 SF); Rest Rooms/Custodial (350 SF); Steam Room or Sauna (100 SF); Aquatic Offices (200 SF); Storage (100SF)
2. Construct new addition (260 SF) adjacent to Pool Equipment Room to house proposed liquid bleach tanks and chemical storage rooms.

Area 2 – Level 1 Dry Areas

1. Consider constructing 6,000 SF, 2-story addition (Option 2).

Area 3 – Level 2 Multipurpose/Fitness

1. Consider constructing Fitness Center Addition (750 SF) over existing Pool Equipment Room to relocate free weight area allowing cardio area to expand (Option 1).



PART 3: SYSTEM DESCRIPTION AND OBSERVATIONS

3.2 Mechanical/Plumbing

Observations

Portions of the existing HVAC system are at the end of their useful life. Many air handlers have rusty cabinets and have been repaired many times. Some have the original pneumatic controls (though they are disconnected). New energy efficient air handlers using as much of the existing direct digital controls (DDC) are recommended. Replacing the existing centrifugal HVAC chiller with modular chillers is recommended as a future consideration (category 3). Incorporating modular chillers will reduce system energy consumption during low load conditions.

Plumbing fixtures – surface mount showers.

Recommendations

Category 1

Area 1 – Level 1 Wet Areas

1. No immediate issues

Area 2 – Level 1 Dry Areas

1. No immediate issues

Area 3 – level 2 Multipurpose/Fitness

1. No immediate issues.

Category 2

Area 1 – Level 1 Wet Areas



Deteriorating HVAC units

1. The Dectron HVAC units supporting the Leisure and Competition Pool spaces are near the end of their useful life (3-5 years) and should be replaced. The coils and cabinet of the Leisure Pool unit are corroded much worse than the Competition Pool unit but they were both installed when the building was built and should be replaced at the same time. The units operate on R-22 which is available but will continue to be more expensive. New or imported R-22 will not be allowed into the U.S. after January 1, 2020 so only stockpiled or recycled R-22 refrigerant will be available at that time. By then repairs to these units will be required



Dectron coil repairs



Deteriorating HVAC units

more often and become more expensive. An added benefit of replacing these units is that newer units will be more energy efficient and contribute to overall facility energy savings.

2. There is a gravity vent with a motorized damper extending through the roof of the Pool Equipment Room. The damper at this vent may not work. Repairing the damper operator and/or verifying the sequence of operation is recommended to provide as much ventilation in this room as possible.
3. Repair or replace plumbing fixtures in the Locker Rooms and Restrooms. Maintenance of the showers in the locker rooms has become an issue and frequently the repair requires access into concrete masonry walls. Replacement of the shower mixing valves and shower heads with surface mounted units on the proposed solid plastic partitions would allow for easier repairs in the future. With these types of showers only the supply pipes are located within concrete masonry walls.

Area 2 – Level 1 Dry Areas

1. The Temptrol rooftop HVAC units are near the end of their useful lives and should be replaced. These units have water cooling and heating coils so there are no refrigerant issues. Some of these units are more corroded and problematic than others so replacing those units is a higher priority.
2. The main unit over the running track serves most of the facility and is in the worst condition.

This unit allows water to enter the building during heavy rains. The cabinet of this unit has considerable corrosion due to exposure to water on the inside as well as normal outdoor weather conditions. Many repairs have been applied to this unit in an effort to stop the entrance of water during rain events.

An additional recommendation is to raise the roof curb by approximately 1 foot when a new unit is installed. What could be happening during heavy rain is that sheet flow from the higher pitched roof could be running across the flat roof below the pitched roof and running into the roof curb. With a large flow this could back up high enough on the roof curb to get over the curb and into the HVAC unit. Raising this curb/HVAC unit interface level may help solve the problem.



Curbs may be too low

Also, there are no crickets (water diverters) on the upstream (with regard to rain water flow) sides of the roof curbs. Adding crickets to help direct rain water flow is recommended when the unit is repaired or replaced.

Units serving the gyms: Replacement of these units could be deferred since they are in good condition (estimated 10 years of life remaining). These two units provide a constant volume of air so adding variable speed drives to all their fan motors would allow them to slow down and deliver less air when the gyms have only a few people in them. This will save fan energy year round.

Replacement of the units serving the Aerobics and Fitness rooms along with the unit that serves the Locker rooms can be deferred approximately 8 years. These units are in fair condition and are operating properly. The Locker room unit is constant volume and per code, needs to operate that way for ventilation purposes. The unit serving the Aerobics and Fitness rooms currently has variable speed drives so it is operating so that it's cooling output varies to match the load in the Aerobics and Cycling rooms. Balancing these units is recommended to determine the amount of air being delivered to the various spaces.

3. Install variable speed drives on the existing chillers. This will allow them to unload and operate more efficiently during part load conditions. This will contribute to the overall facility energy savings.
4. Repair or replace plumbing fixtures in the public restrooms. At least one water closet in a Women's restroom needs to be repaired. Unfortunately this repair will require access to the support within the wall. Several fixtures have already been replaced and are in good working order.

Area 3 – Level 2 Multipurpose/Fitness

1. No immediate issues.

Category 3

Area 1 – Level 1 Wet Areas

1. No immediate issues

Area 2 – Level 1 Dry Areas

1. As the centrifugal HVAC chillers reach the end of their useful life (estimated in 7 - 8 years) replace them with modular chillers. Installing modular chillers will reduce system energy consumption during low load conditions.

Area 3 – level 2 Multipurpose/Fitness

1. No immediate issues.

PART 3: SYSTEM DESCRIPTION AND OBSERVATIONS

3.3 Fire Protection

Observations

Overall the building appears to be in good condition relative to Life Safety issues. All egress paths were clear, the building is fully fire sprinklered (where required) and it has a fire alarm system. One sprinkler head appears to not have proper coverage due to close obstruction from a light fixture (per current NFPA codes).

Recommendations

Category 1

Area 1 – Level 1 Wet Areas

1. No immediate issues

Area 2 – Level 1 Dry Areas

1. No immediate issues

Area 3 – level 2 Multipurpose/Fitness

1. No immediate issues.

Category 2

Area 1 – Level 1 Wet Areas

1. No immediate issues

Area 2 – Level 1 Dry Areas

1. The fire sprinklers in the corridor between Gym courts 1 & 2 and the offices and locker rooms do not have guards. There are scuff marks on the ceiling indicating that balls have come close to hitting some of these sprinklers. Provide wire sprinkler guards on these sprinklers.

Area 3 – level 2 Multipurpose/Fitness

1. No immediate issues.

Category 3



Obstructed sprinkler head

Area 1 – Level 1 Wet Areas

1. No immediate issues

Area 2 – Level 1 Dry Areas

1. No immediate issues

Area 3 – level 2 Multipurpose/Fitness

1. No immediate issues.

PART 3: SYSTEM DESCRIPTION AND OBSERVATIONS

3.4 Electrical Systems

Electrical Observations

Overall the building appears to be in good condition relative to electrical equipment condition and functionality. All light fixtures are original to the building except for the pool and fitness areas.

Level 1 Wet Areas

Lighting in the Leisure Pool/Competition Pool consists of 400 & 250 Watt metal halide luminaires. The original fixtures were replaced with newer fixtures. This lighting is not as energy efficient as newer fixture types such as LED. Locker Rooms utilize 2'x2' recessed light fixtures utilizing (2) U32T8 lamps.

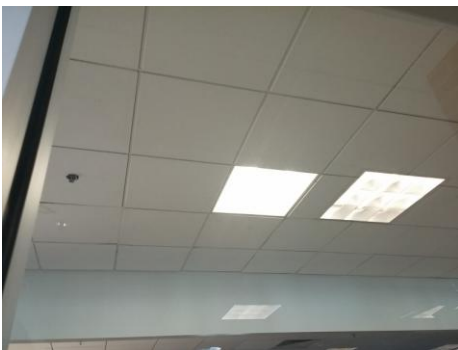
Level 1 Dry Areas

Lighting in Gymnasium areas is in generally good condition and consists of direct/indirect metal halide luminaires. This lighting is not as energy efficient as newer fixture types such as LED. There are several surface mounted fluorescent light fixtures located at the corridors between the Gym area and the meetings rooms that have been damaged due to being hit by basketballs.

The general lighting in most areas consists of lay-in parabolic fixtures using (2) U32T8 lamp bulbs.

Level 2 Multipurpose/Fitness/Restrooms

The general lighting in these areas consists of lay-in parabolics using (2) U32T8 lamp bulbs. However, the original light fixtures in the Fitness Center were replaced with newer 2'x2' volumetric recessed light fixtures. Lighting in the restrooms consists of fluorescent cove lights and compact fluorescent recessed down lights.



Replace 2'x2' recessed parabolic fixtures with 2'x2' recessed LED lights in all general areas

Recommendations

Category 1

Area 1 – Level 1 Wet Areas

1. No immediate issues

Area 2 – Level 1 Dry Areas

1. No immediate issues

Area 3 – Level 2 Multipurpose/Fitness

1. No immediate issues.

Category 2

Area 1 – Level 1 Wet Areas

1. Replace existing light fixtures in pool areas with LED fixtures. The recommended fixture replacement to be one for one to avoid additional labor cost to conduit and wires.
2. Replace existing 2'x2' recessed fluorescent light fixtures with new 2'x2' recessed LED lights.



Replace existing metal halide fixtures in Pool areas with LED lights

Area 2 – Level 1 Dry Areas

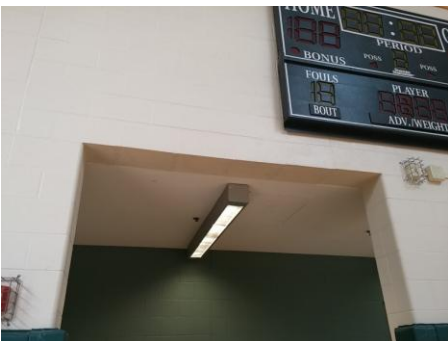
1. Replace existing metal halide fixtures with energy efficient LED high-bay lighting in gym area. Provide daylight controls for fixtures near skylight.
2. Remove and replace existing light fixtures in corridors between Gym and Meeting Rooms with vandal resistant type.
3. Replace existing 2'x2' recessed fluorescent light fixtures with new 2'x2' recessed LED lights in Power Lifting Room.



Replace existing metal halide fixtures in Gym area with LED lights

Area 3 – Level 2 Multipurpose/Fitness/Restrooms

1. Replace existing 2'x2' recessed fluorescent light fixtures with new 2'x2' recessed LED lights in multipurpose area.
2. Replace existing 2'x2' volumetric recessed fluorescent light fixtures with new 2'x2' recessed LED lights in Fitness Center. Or another option is to replace the fluorescent lamps with LED lamps.
3. In restrooms, replace existing cove fluorescent light fixtures with new linear LED lights. Replace recessed can lights with 2'x2' LED light fixtures.



Replace surface mounted light fixtures in corridor near Gym Area with vandal resistant type (and away from sprinkler head)

Category 3

Area 1 – Level 1 Wet Areas

1. No immediate issues

Area 2 – Level 1 Dry Areas

1. No immediate issues

Area 3 – level 2 Multipurpose/Fitness

1. No immediate issues.

PART 3: SYSTEM DESCRIPTION AND OBSERVATIONS

3.5 Swimming Pool Systems

Observations

Recommendations

Category 1

Area 1 – Level 1 Wet Areas



Calcium scale on decks

1. Change Spa Sanitizer- It is recommended that the spa be converted to a sanitizer as outlined in the water chemistry section (page 37) due to safety issues with RWI's that can arise more frequently and rapidly with spas. This can be accomplished by the installation of one of two types of feeders.
2. Change Spa Water Chemistry Controller Probes- The probes on the spa water chemistry controller do not respond as they should. Recommend to change both the Ph probe and the chlorine probe.

Category 2

Area 1 – Level 1 Wet Areas



Scale on pipes

1. The pools have ongoing high calcium issues. In keeping the free available chlorine at the ideal level, the calcium level of the pools are between 700 - 800 ppm. Ideal calcium hardness range is between 200 - 400 ppm. Water with higher calcium hardness can cause scaling on pool surfaces, and can clog filters and water heater elements. You can see evidence of calcium scaling on pipes and equipment throughout the indoor facility. It is recommended that the pools be converted to a sanitizer that does not have a high calcium content like the current calcium hypochlorite tablets.
2. The filter room has a number of issues that should be addressed. Many of the issues are those that impact the effectiveness and life of the equipment. The entire room needs better ventilation. Any chemicals stored in a pool setting must have adequate air circulation. The internal boards of the ultraviolet systems have had to be replaced more often than other systems installed in similar settings.

3. Hair & Lint Pot lid O rings need replacing (lids do leak) and scale needs to be cleaned off to prevent lids from leaking. Also inspect and replace if necessary the black plastic nuts that secure the lid in place. Replace lid O rings and clean around lid/O ring flange.
4. Mechanical Couplers at booster pumps need to be replaced before a break occurs; extensive rust and rust/scale on all booster pumps should be cleaned and painted to extend life of pump.
5. Backflow preventer leaks and appears to need to be serviced.
6. Panels for gauges on filters are not secured properly. Provide hardware and labor to properly secure two gauge panels.
7. There are signs of chemical tubing and fittings leaking, recommend cleaning and replacing aged tubing throughout the filter room and secure all loose lines.
8. Update controllers for energy savings and interactivity with ultraviolet sanitization system. Existing controllers are original equipment and do not have the technological advances present in current equipment. Include internet connectivity to enable remote monitoring.
9. Scale on pipes may be from chemicals or a plumbing leak. Clean scale off and evaluate needed repairs.
10. The pool and spa filter media (sand) has never been replaced per staff discussions. The media should be changed in order to increase the effectiveness of the filters.

- a. Option I Replace filter media in all 5 filters with new sand.
- b. Option II Investigate replacing filter media with Activated Filter Media (AFM)

11. Installation of variable frequency drives on the pump motors will provide energy savings and can prolong the life of the motors. Without vfd's the analogy is like driving your car with the accelerator floored and using only the brake to control speed. The drives will pay for their cost in a few years from the energy savings that will accrue.

12. Large Water Slide has numerous issues with the structure that should be inspected for structural integrity and recommendations for eradication of rust and any damage caused by rust. If structural integrity is sound the slide should be



Water slide structure rust

sandblasted and repainted. Recommendation is to contract with an appropriate firm to provide an inspection and report.



Competition Pool grating is worn

13. Play Features need to be repainted as they are dull and lifeless. The vertical play structure has operational issues and new features could be installed in its place to enhance the user experience. A kiddie slide could be installed and an interactive play structure.

14. Scale/rust on rail goods. Management staff has ordered an industrial cleaning product (Spectraclean) sold by the manufacturer of the rail goods specifically created for use on stainless steel railings. Upon receipt and use of the product, more information will be provided. Further investigation is needed in order to determine a recommendation.

15. Competition Pool grating coating is worn and showing fiberglass in places.

Category 3

Area 1 – Level 1 Wet Areas

1. It is recommended that when the pool tanks are scheduled for resurfacing, consideration should be given to using a quartz-based surfacing. This application has a longer life span and increased aesthetics.



PART 3: SYSTEM DESCRIPTION AND OBSERVATIONS

3.6 Roof

Observations

The roof is an existing modified bitumen system that has blisters. It has been patched in many areas with roofing cement. A liquid membrane was applied to the roof at the newer solar panels over the Gymnasium.

Recommendations

Category 1

1. No leaks have been observed by the School District that would require immediate repair.

Category 2

1. The membrane applied at the solar panel can be applied to the rest of the roof to extend its life possibly 5 – 10 years or a new membrane roof can be installed.

Category 3

1. No immediate issues.



Blisters and cement repairs on Gymnasium roof

PART 3: SYSTEM DESCRIPTION AND OBSERVATIONS

3.7 Parking Areas

Observations

Existing west parking lot is deteriorated and in need of an overlay. The parking lot island trees have matured and obscure the lighting's effectiveness. Security camera coverage in this area is also limited. Parking capacity is minimal for the 94,400 SF facility.

Recommendations

Category 1

1. No immediate issues.

Category 2

1. Provide asphalt overlay to existing west parking lot.
2. Replace existing light standards with taller units that distribute light more effectively.

Category 3

1. No immediate issues.

Additional Considerations

1. Add new 160-space parking lot and access drives to the west in the existing mulch area. Add 4 new light standards to match replacement fixtures in original west parking lot.



Proposed 160-space parking lot

PART 4: DOCUMENT REVIEW AND INTERVIEWS

4.1 Document Review

General

Contract documents of the Center of Clayton were made available to the assessment team for review prior to the interview and walk through surveys. The intent of such review was to help the team become familiar with the history of the building and the Center's desire for facility preservation, enhancement, and increased energy efficiency and overall lower operating costs.

4.2 Project Kick-off Meeting

This is a summary of our kick-off meeting with City Staff and School District Representatives for the above referenced project:

Patty DeForrest	Director of Parks and Recreation, City of Clayton
Tim Wonish	Director, Facility Services, School District of Clayton
Ryan Casserly	Westport Pools
Dave White	Westport Pools
Jim Towery	Jacobs
Sam Fares	Jacobs
Mike Pratl	Jacobs

Discussion:

1. Center plans to go out to bid on facility improvements in 2018/2019
2. Priorities – Preserve, Enhance, Energy Efficiency
3. Estimated improvement budget to be approximately \$6 MIL
4. Enhancements to increase revenues include building addition for party rooms, and steam or sauna rooms.
5. In recent years the competition natatorium has been accumulating chloramines in the air during the morning hours which dissipates as the facility is occupied.
6. Locker room flooring is hard to clean.
7. Gymnasium wood flooring near the locker rooms periodically warps due to moisture infiltration either from the room or from below slab.
8. Verify HVAC zoning of locker rooms, fitness center and pool equipment rooms.

Facility Tour followed and all assessment notes will be incorporated into Report.

4.3 Staff Interviews

This is a summary of discussion with Toni Siering, Assistant Director of Parks and Recreation.

1. Revenue Enhancement Ideas – Adjacent to Natatorium on the existing patio
 - a. 2 wet party rooms (with movable wall) for 25 persons each
 - b. Rest rooms/custodial
 - c. Aquatic offices
 - d. Storage
 - e. Close to YAC so spaces can be also used for additional programs
2. Revenue Enhancement Ideas – Fitness Center
 - a. Construct additional space over first floor maintenance and pool equipment rooms
 - b. Add personal trainer rooms
 - c. Relocate existing office to open up current fitness space
 - d. Refinish track surface
 - e. Add check-in station at “link” to High School
3. Remodel / Renovation Ideas – Locker Rooms
 - a. Shower valves/heads – constant corrosion. Replace piping and install surface mounted valves
 - b. Replace shower partitions
 - c. Resurface existing floor with maintenance friendly quartz epoxy
 - d. New lighting
 - e. Men’s room very warm and floor drains often smell (check if traps have water?)
 - f. Family Changing – glass panel door to corridor, frosted glass panel doors to changing room, new lighting and flooring overlay
4. Remodel / Renovation Ideas – Natatorium Spaces
 - a. Clean up deck appearance – possibly epoxy quartz overlay similar to Renaud Spirit Center
 - b. New play feature in zero-depth area
 - c. Westport Pools has additional comments
5. Remodel / Renovation Ideas – Gymnasium
 - a. Synthetic floor blistering and worn – existing vapor barrier possibly deteriorated and allowing moisture transfer from subgrade. Remove existing flooring, install liquid applied vapor barrier on concrete prior to new flooring installation. Discussed new synthetic/suspended wood system (volleyball/basketball/aerobics friendly) though there will be a vertical transition from adjacent wood floor.
 - b. Refurbish bottom vinyl/replace divider curtains
 - c. Replace wall pads, paint walls, wood floor damage?
 - d. Incorporate glass partitions between masonry openings to prevent errant balls from hitting corridor
6. Remodel / Renovation Ideas – Meeting Rooms
 - a. Replace carpet
 - b. Paint walls
 - c. Verify movable wall gaskets
 - d. Refinish cabinets
 - e. Refinish wood floor
 - f. Lose some kitchen equipment

7. Remodel / Renovation Ideas – Rest Rooms (both levels)
 - a. Replace floor tiles
 - b. Replace partitions, counters
 - c. Replace HC toilets currently supported by steel brackets
 - d. Paint walls
 - e. New lights with motion sensors
8. Remodel / Renovation Ideas – Lobby
 - a. Porcelain floor tiles beginning to crack – replace with same but brighter color
 - b. Incorporate glass partitions under stairwell to secure check-in point
 - c. Move check in desk closer to front door

APPENDIX

Swimming Pool Systems Assessment Report by Westport Pools

FILTER ROOM OBSERVATIONS:

CATEGORY 1

Water Chemistry Issues-

Chlorination Issues-The pools have ongoing high calcium issues. In keeping the free available chlorine at the ideal level, the calcium level of the pools are between 700 - 800 ppm. Ideal calcium hardness range is between 200 - 400 ppm. Water with higher calcium hardness can cause scaling on pool surfaces, and can clog filters and water heater elements. You can see evidence of calcium scaling on pipes and equipment throughout the indoor facility. It is recommended that the pools be converted to a sanitizer that does not have a high calcium content like the current calcium hypochlorite tablets. The conversion for the competition and leisure pools would be classified as **Category 2**.



It is further recommended that the spa be converted as part of a **Category 1** priority to a sanitizer as outlined above due to issues that can arise with spas. This can be accomplished by the installation of one of two types of feeders.

Approximate cost for Spa \$650 Materials & \$300 labor.

Filter Room Environment- The filter room at the Center of Clayton has a number of issues that should be addressed. Many of the issues are those that impact the effectiveness and life of the equipment. The entire room needs better ventilation. Any chemicals stored in a pool setting must have adequate air circulation. As an example Westport Pools has a maintenance contract on the ultraviolet sanitization systems. The internal boards of the UV systems have had to be replaced more often than other systems installed in similar settings.

Hair & Lint Pot lid O rings need replacing (lids do leak) and scale needs to be cleaned off to prevent lids from leaking. Also inspect and replace if necessary the black plastic nuts that secure the lid in place. Replace lid O rings and clean around lid/O ring flange.

Budget: \$75 per hair and lint pot for new O rings = \$300



Mechanical Couplers at booster pumps need to be replaced before a break occurs; extensive rust and rust/scale on all booster pumps should be cleaned and painted to extend life of pump.

Budget: \$600 per coupler = \$1,200
Cleaning & painting \$450 per = \$ 900



Backflow Preventer

Backflow preventer leaks and appears to need to be serviced.

Inspection of backflow preventer
\$300.00

Repairs if needed will be billed at time and material



Panels for Gauges

Panels for gauges on filters are not secured properly. Provide hardware and labor to properly secure two gauge panels.

Budget: \$300.00



Tubing and Fittings

Signs of chemical tubing and fittings leaking, recommend cleaning and replacing aged tubing throughout the filter room and secure all loose lines

Budget \$2,800.00



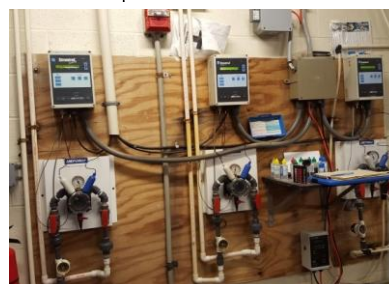
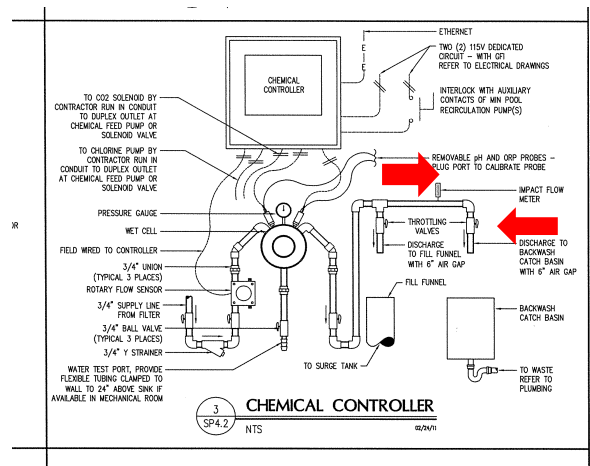
CATEGORY 2

Chemical Controllers

Update controllers for energy savings and interactivity with ultraviolet sanitization system. Existing controllers are original equipment and do not have the technological advances present in current equipment. Including internet connectivity to enable remote monitoring.

Approximate Cost \$5,000- \$8,000 per controller

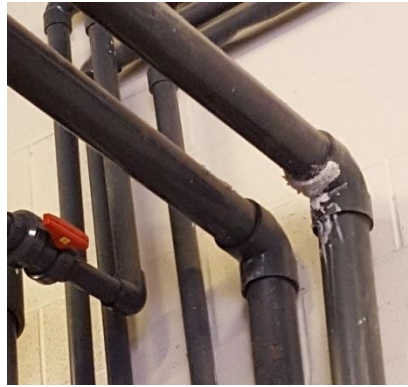
It is recommended that a bleeder line and flow meter be installed on the water chemistry controller feed line to assist in replacing the water in the pools on a regular basis. To the right is a sample drawing of how this can be accomplished.



Approximate Cost \$5,000- \$8,000 per controller
\$15,000 - \$24,000

Possible Leaks

Scale on pipes may be from chemicals or a plumbing leak. Clean scale off and evaluate needed repairs.



Cleaning and evaluation budget: \$300

Filter Sand- We were informed that the pool and spa filter media (sand) has never been replaced. We recommend that the media be changed in order to increase the effectiveness of the filters.

Option I Replace filter media in all 5 filters with new sand \$9,035.00

Option II Investigate replacing filter media with Activated Filter Media (AFM) \$18,944.00

http://www.drydenaquapools.com/downloads/pdf/AFM_4s_EN_M.pdf AFM® stands for Activated Filter Material, filter media made from green glass. The manufacturer claims that AFM exceeds the performance of quartz and glass sand by filtering about 30 % more organics. AFM® is bio-resistant and self-sterilizing.

CATEGORY 2 or 3

Install Variable Frequency Drives (VFD's)- Installation of variable frequency drives on the pump motors will provide energy savings and can prolong the life of the motors. Without vfd's the analogy is like driving your car with the accelerator floored and using only the brake to control speed. The drives will pay for their cost in a few years from the energy savings that will accrue.

Budget: \$5,500-\$6,000 per unit

COMPETITION POOL

An 8 lane, 25 yard competition pool with two one meter diving boards. This pool is used by Clayton High School for competition as well as by the members of the Center.

Water Surface: 4,357 s.f.

Volume: 227,641 gallons Bather Load: 150



CATEGORY 2

Comp Pool Grating coating is worn and showing fiberglass in places. **Category 2**
Approximate Cost \$47,000



CATEGORY 3

Pool Tank Resurfacing- It is recommended that when the pool tanks are scheduled for resurfacing, consideration should be given to using a quartz based surfacing. This application has a longer life span and increased aesthetics.

Leisure Pool

The Recreation Pool contains a current channel, water slide, two 25-yard lap lanes, zero depth entry and a spa.

Water Surface:	4,314 s.f.
Volume:	96,080 gallons
Bather Load:	431



CATEGORY 1

No Issues.

CATEGORY 2

Large Water Slide has numerous issues with the structure that should be inspected for structural integrity and recommendations for eradication of rust and any damage caused by rust. If structural integrity is sound the slide should be sandblasted and repainted. Recommendation is to contract with an appropriate firm to provide an inspection and report.

Inspection Budget: \$6,000

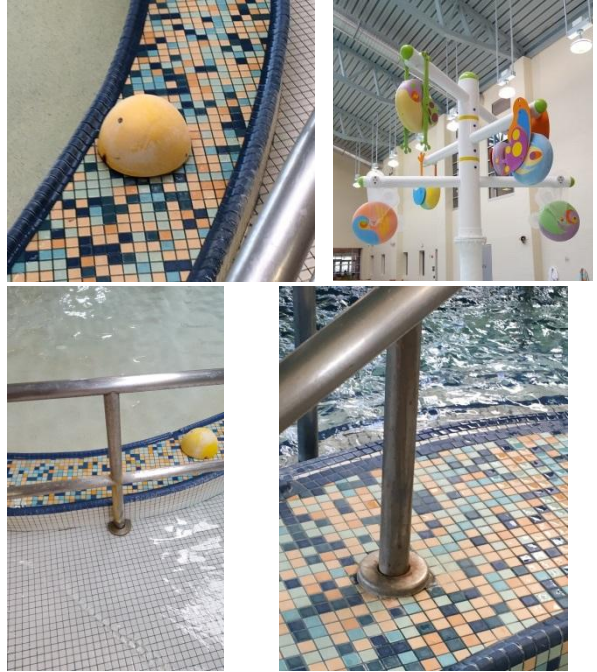
Sandblast and Paint Structure Budget \$16,000



Play Features need to be repainted as they are dull and lifeless. The vertical play structure has operational issues and new features could be installed in its place to enhance the user experience. A kiddie slide could be installed and an interactive play structure.

Approximate cost \$15,000- \$100,000

Stainless Steel Rails Scale/rust on rail goods. Management staff has ordered an industrial cleaning product (Spectraclean) sold by the manufacturer of the rail goods specifically created for use on stainless steel railings. Upon receipt and use of the product, more information will be provided. Further investigation is needed in order to determine a recommendation.



Spa

Water Surface: 121 s.f.
Volume: 1848 gallons
Bather Load: 12



CATEGORY 1

Change Spa Sanitizer- It is recommended that the spa be converted to a sanitizer as outlined in the above water chemistry section due to safety issues with RWI's that can arise more frequently and rapidly with spas. This can be accomplished by the installation of one of two types of feeders.

Approximate cost for Spa \$650 Materials & \$300 labor

Change Spa Water Chemistry Controller Probes- The probes on the spa water chemistry controller do not respond as they should. Recommend to change both the Ph probe and the chlorine probe.

Budget: \$500 (parts only)

THE CITY OF CLAYTON

Board of Aldermen
City Hall – 10 N. Bemiston Avenue
March 14, 2017
7:00 p.m.

Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Cynthia Garnholz, Mark Winings, Joanne Boulton, Alex Berger, Rich Lintz, and Ira Berkowitz.

Mayor Sanger
City Manager Owens
City Attorney O'Keefe

Alderman Garnholz moved to approve the March 14, 2017. Alderman Winings seconded.

The motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

Mayor Sanger read the following statement: *"Over the past year and particularly in recent months, our nation and specifically the St. Louis community has seen an increase in threats and acts of religious and racial hatred. On behalf of the entire Clayton Board of Aldermen, we denounce and condemn all acts of violent behavior and the people who make dangerous threats against individuals simply for the color of their skin, gender, sexual orientation, or religious practices. There is no place in this America for people who would unleash prejudicial hatred on American citizens, whether born in this country or not, for the purpose of intimidation, physical or mental harm. Let us not forget that we are a nation of immigrants. Whether here for generations, or newly arrived under the promise of freedom from oppression, someone in each of our families made the very difficult decision to leave their homeland and start a new life in the Land of Liberty. We are a great nation because of the courage of our ancestors.*

The City of Clayton is home to a virtual United Nations of residents. We are proud to have them call Clayton home, and they are proud to be citizens of our community. It is incumbent upon all of us to welcome people of all faiths, gender and race to our community and to our country. However, for those who wish to do us harm, we will never yield to hatred, bigotry, or extremism, and for those who follow that path we will be relentless in the defense of our liberty.

Together as citizens and fellow Americans it is our duty to uphold the commitment of Lady Liberty that has greeted millions of immigrants from around the world: "Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me; I lift my lamp beside the golden door".

Alan Silverburg, resident, addressed the Board with concerns of public safety issues. He stated that he was involved in an accident while (walking) crossing the street at Maryland Avenue and Brentwood Boulevard. He had been hit by a car which caused injuries, four-day hospital stay, and for an additional two months required the use of a walker. He stated that this is a very busy corner with no left turn arrow for drivers. He said that the City has been wonderful and urges

staff to consider installing a left turn arrow signal at that intersection to prevent another misfortunate accident.

Mayor Sanger thanked Mr. Silverberg and noted that he appreciated him coming to the meeting and telling his story.

Ben Uchitelle, resident, addressed the Board, stating that Mayor Sanger gave an excellent statement. He added that Clayton has done a great job addressing minority issues. He referenced that the City of Kirkwood has a Human Rights Commission which *“Advises the City Council on ways to: Promote awareness, recreation, employment, legislation, education, accessibility, and participation of and for minority groups, including persons with disabilities; remove any inequalities that pertain to minority groups and the disabled in such areas as housing, recreation, education, employment, law enforcement, services, and accessibility; encourage participation by minority groups and disabled persons in City programs”*. He stated that with the world today the future is uncertain and that we need to be vigilant. He encouraged the Board to consider creating a commission such as Kirkwood.

A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER APPROVING REZONING OF THE PROPERTY LOCATED AT 7601 AND 7651 CLAYTON ROAD FROM AN R-6 MEDIUM DENSITY MULTIPLE FAMILY DWELLING DISTRICT AND THE WESTWOOD CORRIDOR URBAN DESIGN DISTRICT TO C-1 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT

A PUBLIC HEARING AND AN ORDINANCE TO CONSIDER APPROVING REZONING OF THE PROPERTY LOCATED AT 7601 AND 7651 CLAYTON ROAD FROM C-1 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT TO A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT.

Mayor Sanger announced that at the request of the applicant the Planned Unit Development and Rezoning Public Hearing has been postponed to the next meeting on Tuesday, March 28, 2017.

AN ORDINANCE TO CONSIDER APPROVING A FUNDING AGREEMENT WITH FLAHERTY & COLLINS DEVELOPMENT, LLC

City Manager Owens reported that On April 24, 2015 a Request for Proposal (RFP) was issued for the City's surface parking lot located at 8049 Forsyth Boulevard. After receiving multiple proposals and considering several options for the site, the City selected Flaherty & Collins Development, LLC to develop a 25-story building with 250 apartments, 10,000 square feet of retail, and an adjacent parking structure.

The City desires that Flaherty & Collins Development, LLC should bear the costs borne by the City to pay some of the City's out-of-pocket costs in connection with the City's negotiating and documenting the sale, considering Flaherty & Collins' plans, exploring, evaluating, and engaging the public regarding the plans, and negotiating and preparing a development agreement to protect the City's interest in seeing the project developed. The developer has agreed to reimburse the City for such professional services. If the initial funds are depleted the developer must deposit additional funds with the City. This does not approve any public private partnerships or sale of any City owned land, but rather is an agreement by the developer to reimburse the city for any expenses and analyses by the City.

The proposed ordinance would authorize the execution of the preliminary funding agreement.

Recommendation is to approve the ordinance.

In response to the Board's questions, City Manager Owens confirmed that the initial deposit amount is \$15,000 and if it goes over that amount then the developer would replenish the funds before moving forward which is standard requirements for such an agreement.

Alderman Garnholz introduced Bill No. 6604, an ordinance to approve a preliminary funding agreement with Flaherty & Collins Development LLC to be read for the first time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6604, an Ordinance Authorizing the City to Execute a Funding Agreement with Flaherty & Collins Development, LLC in Connection with a Proposed Redevelopment Project at Forsyth Boulevard and Brentwood Boulevard for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6604 on the day of its introduction. Alderman Winings seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6604, an ordinance to approve a preliminary funding agreement with Flaherty & Collins Development LLC to be read for the second time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6604, an Ordinance Authorizing the City to Execute a Funding Agreement with Flaherty & Collins Development, LLC in Connection with a Proposed Redevelopment Project at Forsyth Boulevard and Brentwood Boulevard for the second time by title only.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6473 of the City of Clayton.

AN ORDINANCE TO APPROVE A LEASE AGREEMENT BETWEEN ST. LOUIS COUNTY PORT AUTHORITY AND THE CITY OF CLAYTON

City Manager Owens reported that on April 28, 2005, the City entered into a lease with St. Louis County, Missouri, to maintain a public parking lot on land bound by Carondelet Avenue on the south, Central Avenue on the west, Bemiston Avenue on the east, and the mid-block east west alley between Central Avenue and Bemiston Avenue on the north. The lease required the City to maintain approximately one hundred fifty (150) public parking spaces on the site and share equally the gross revenue with the County. On February 24, 2017, St. Louis County transferred ownership of the land to the St. Louis County Port Authority. The Port Authority now wishes to enter into a new lease with the City. The major points of the proposed lease are as follows:

1. The City is to maintain approximately 150 spaces and be responsible for the daily operation including providing all routine services and capital improvements.
2. Sharing all major repair costs with the Port Authority once the Port Authority has given its consent to proceed with the repairs.
3. Share equally all gross parking charge revenue with the Port Authority.
4. Enforce all traffic and parking laws on the parking lot. Parking tickets and traffic tickets are not to be included in gross parking charge revenue that is shared with the Authority.
5. The original term is one year and renews automatically each year provide neither party gives a 90 day notice to terminate.

All provisions in the proposed lease are similar to the original contract with the addition that the Port Authority grants consent to major repair costs. Recommendation is to approve the ordinance.

Walter Wittenberg, 6434 Cecil, addressed the Board inquiring as to an option to buy the property.

City Manager Owens clarified that the City leases the property from St. Louis County. The City conducts parking operations and maintains the lot. There is no option to purchase.

City Attorney O'Keefe explained that as stipulated in the original lease, when the County changed ownership the lease expired. This lease is the exact same terms as before, but with different ownership.

Alderman Garnholz introduced Bill No. 6605, an ordinance to approve a lease agreement with the St. Louis Port Authority to be read for the first time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6605, an Ordinance Authorizing the City to Execute a Lease with the St. Louis County Port Authority in Connection with a Surface Parking Lot for the first time by title only.

The motion passed unanimously on a voice vote.

Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6605 on the day of its introduction. Alderman Boulton seconded.

The motion passed unanimously on a voice vote.

Alderman Garnholz introduced Bill No. 6605, an ordinance to approve a lease agreement with the St. Louis Port Authority to be read for the second time by title only. Alderman Winings seconded.

City Attorney O'Keefe reads Bill No. 6605, an Ordinance Authorizing the City to Execute a Lease with the St. Louis County Port Authority in Connection with a Surface Parking Lot for the second time by title only.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6474 of the City of Clayton.

A RESOLUTION TO CONSIDER SUPPORTING EARTH HOUR 2017 on MARCH 25th

City Manager Owens reported that The World Wildlife Fund is asking individuals, businesses, governments and organizations around the world to turn off their lights for one hour on Saturday, March 25, 2017, at 8:30 p.m. local time – **Earth Hour** – to make a global statement of concern about climate change and to demonstrate commitment to finding solutions. The Mayor and Board of Alderman previously voted to join several U.S. cities for action with their light switch by committing to go dark for a similar one-hour period in prior years.

As a leader of “green” initiatives, it is recommended that the City of Clayton continue to be an active participant in and supporter of Earth Hour. This will add our voice to help focus global attention on the need to find solutions to climate change and demonstrate the power to make a difference in the future of the planet. Approval of the resolution will encourage residents and

businesses to go dark during this one-hour period where practical, keeping in mind safety considerations.

Additional information about this initiative can be found on the website at www.earthhourus.org. Recommendation is to approve the resolution.

Alderman Winings stated that although he supports the Earth, he does not support Earth Hour.

Alderman Garnholz moved to approve Resolution No. 17-02, to support the Earth Hour 2017 on March 25, 2017. Alderman Winings seconded.

The motion passed on a 6 – Ayes; to 1-Nay (Alderman Winings) vote.

FY 2017 FIRST QUARTER FINANCIAL REPORT

Janet Watson provided the Board with a brief overview. The report includes the 1st quarter budget amendment passed by the Board at the last meeting. This report no longer includes the pension funds since they are no longer considered budgeted funds. We believe this makes this report more comparable as it is less likely to have wide variances based on market returns.

She provided some highlights of the General Fund first quarter results:

- The year started with a surplus of \$284,702 and the 1st quarter budget amendment increased that surplus to \$357,595.
- General Fund sales tax is 3% lower than at this time last year. It is early in the fiscal year to establish a trend pattern but we will monitor this revenue to analyze continuing trends and will report this information to you, as well as any necessary budget adjustments.
- The City received the largest property tax distributions over the first two quarters of the fiscal year so it is early for full-year predictions. Through December, receipts were 15% higher than at this time in the prior year although significant distributions will still be received during the 2nd quarter and this may affect this trend. You will recall that when we established the 2016 property tax rates, we chose to recoup some funds lost in the prior year and this is apparent in the receipts this year.
- Building permit revenue is expectedly high due to increasing economic development and the budget has already accounted for that growth. The permit receipts will occur throughout the year as each development moves forward through certain processes.
- Utility revenue, parking and court fines are slightly lower than in the prior year. The 2nd quarter began the new parking app and enhanced parking rates and fine schedule so future trends in parking revenue will develop.

Other

Alderman Boulton reported on the following:

- Plan Commission/ARB – the meeting was four hours long, the Koman Development project conceptual was very well received; this could possibly be an opportunity for Koman and Flaherty & Collins to join forces and work together on creating a good parking plan. They heard from people in the City Coffee building regarding concerns of public parking spaces.
The GBT Development project was not well received and the architectural review portion was tabled until the 27th; the PUD passed with a 3-2 vote – 1 member recused and 1 member absent; a number of neighbors addressed their concerns.

Alderman Berger reported that over the weekend Ward 3 held its coffee meeting and also attended a public meeting for residents at the police station. The meetings were very positive and very involved and provided lots of opportunity to listen and hear issues around engagement

in the city's processes. He complimented Chief Murphy who provided information about neighborhood safety.

Alderman Berkowitz reported that the Chamber of Commerce held a very nice event; All That Glitters was also a very nice event.

Alderman Berkowitz moved that the Board adjourn to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15), and/or information related to public safety and security measures pursuant to Section 610.021(18) and (19) RSMO. Alderman Lintz seconded the motion.

Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye.

There being no further regular business the meeting was adjourned at 7:37 p.m.

Mayor

ATTEST:

City Clerk



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR SANGER; BOARD OF ALDERMEN

FROM: CRAIG S. OWENS, CITY MANAGER
SUSAN M. ISTENES, AICP, DIRECTOR, PLANNING & DEV. SERVICES

DATE: MARCH 28, 2017

SUBJECT: PUBLIC HEARING – A RESOLUTION TO CONSIDER APPROVING A
CONDITIONAL USE PERMIT FOR 8321 MARYLAND AVENUE,
REGIONS BANK

This is a public hearing to consider an application for a Conditional Use Permit submitted by R. Mark Naylor, agent on behalf of Regions Bank, owner, for the installation/operation of a remote drive-through facility on the subject site.

Financial institutions and retail establishments are permitted uses in this zoning district; however, drive-through facilities are conditionally permitted uses and are subject to the design guidelines. In 2013, a similar project was proposed by 5/3 Bank and was approved; 5/3 Bank never secured permits and sold the property to Regions Bank.

This proposed drive-through facility is part of a larger development that includes a freestanding bank at the southwest quadrant of the site and a freestanding retail building at the southeast quadrant of the site. The drive-through facility is located along the northern portion of the property and will be screened from the residential properties to the north by an 8-foot in height screen wall to be located south of the 5-foot wide utility easement and a 12-foot wide landscaped area that run along the northern property line. The distance between the drive-through facility and the nearest residential structure is 40 feet.

The parking area will be accessible from Crandon and Lancaster Drives. Vehicles will enter the drive-through via a one-way driveway entrance located in the northeast corner of the parking lot and exit the drive-through at the northwest corner. There are two 9-foot wide drive-through lanes and a 12-foot wide bypass lane running parallel to Maryland Avenue. The drive-through is separated from the site's parking and drive aisles by a raised curb and landscaped area.

Proposed hours of operation for the drive-through are the same as normal banking hours; Monday through Thursday, 9:00 a.m. to 4:30 p.m., Friday from 9:00 a.m. to 5:00 p.m. and Saturday, 9:00 a.m. to 12:00 p.m. An ATM will also be located in the drive-through, and will be accessible at all times.

A traffic study was conducted in 2013 for the original 5/3 Bank proposal. A new study was not required for potential traffic impacts of this project due to the similarity between the two proposals. The traffic study analyzed potential traffic impacts of the proposed development of the site (including the bank, drive-through, and retail building). According to the study, existing traffic operations do not appear to be problematic at the intersections in the study area. The proposed access point for the drive-through is located deep in the lot, away from the intersection with Maryland Avenue. Stacking lanes are straight with minimal curves, and provide an escape/bypass lane. According to the study, the traffic impacts associated with the drive-through itself are minimal, and there is adequate stacking distance to prevent cars from backing up on Lancaster Drive.

A noise study was also conducted in 2013 for the original 5/3 Bank proposal to assess the acoustical impact of the proposed drive-through speakers. The drive-through facility for Regions Bank does not include speakers.

Because the drive-through lanes are oriented parallel to Maryland Avenue, vehicular headlights will be directed away from the adjacent residential properties. Lighting on the drive-through structure itself is limited to four LED down lighting fixtures located underneath the drive-through canopy. Five 15-foot in height pole lights are proposed adjacent to the drive-through. All proposed lights are LED with internal shields, channeling the light toward the drive-through and parking areas and not the residential lots to the north.

The Plan Commission, at its March 6, 2017 meeting, considered and approved the site plan associated with this project and voted to approve. At the same meeting, the Plan Commission also considered the request for the Conditional Use Permit and voted unanimously to recommend approval to the Board of Aldermen. The Architectural Review Board considered the architectural aspects of the project and voted unanimously to approve.

STAFF RECOMMENDATION: To approve a Conditional Use Permit for Regions Bank to allow the installation/operation of a drive-through facility, pursuant to the stipulations and conditions listed in the attached resolution.

RESOLUTION NO. 17-03

WHEREAS, on December 9, 2016, an application and letter for a Conditional Use Permit were submitted by R. Mark Naylor, project manager/agent, on behalf of Regions Bank, owner, to allow the installation and operation of a 2-lane remote drive-through facility on the property addressed 8321 Maryland Avenue in the C-1 Neighborhood Commercial Zoning District; and

WHEREAS, drive-through facilities are conditionally permitted uses in the C-1 Neighborhood Commercial Zoning District; and

WHEREAS, the City Plan Commission considered this request at its March 6, 2017, meeting and voted to recommend approval to the Board of Aldermen; and

WHEREAS, the Board of Aldermen held a public hearing with respect to this application after due notice as required by law on March 28, 2017, at which all interested parties were afforded an opportunity to be heard; and

WHEREAS, the Board of Aldermen finds and determines that the applicant has clearly established that the criteria for approval of a Conditional Use Permit set out in Section 405.840 of Clayton's Zoning Regulations are met.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

Section 1. Pursuant to the authority of Chapter 405 (Zoning Regulations), Article VII (Conditional Use Permit), of the Code of Ordinances of the City of Clayton, and subject to the terms and conditions set forth in Section 2, below, the approval of a Conditional Use Permit to Regions Bank to allow the installation/operation of a 2-lane remote drive-through facility on the property known and numbered as 8321 Maryland Avenue is hereby granted. Said property is more particularly described as follows:

LOT C, BLOCK 14
OF THE CLAYTON GARDENS SUBDIVISION,
IN THE CITY OF CLAYTON, MISSOURI

Section 2. In addition to compliance with all Ordinances of the City of Clayton and Laws of the State of Missouri, the permitted uses shall be conducted so as to comply with the following stipulations and conditions at all times:

- (1) The permit shall be granted to Regions Bank, (the "Permittee"), and shall not be transferred or assigned without the prior written approval of the City of Clayton.
- (2) The property shall be improved, maintained and operated substantially in accordance with an application and a letter dated December 9, 2016, and with the plans and specifications as filed with and approved by the City of Clayton.
- (3) The two lane remote drive-through facility will be located in the northern portion of the site, approximately forty (40) feet south of the closest residential property and screened from the north by an 8-foot in height wall and a 12-foot wide landscape area.

(4) The drive-through facility will consist of two lanes, one bi-pass lane and one drive-up Automatic Teller Machine (ATM).

(5) Permitted hours of operation of the drive-through facility are, Monday through Friday, 8:00 a.m. to 6:00 p.m., and Saturday, 9:00 a.m. to 12:00 p.m. The drive-up ATM will be accessible at all times.

(6) The drive-through facility will comply with the established design standards for drive-through facilities as approved on June 25, 2013, via Resolution No. 13-17.

(7) All work shall conform to the plans submitted to and approved by the City of Clayton.

(8) Any future exterior alterations/renovations must be approved by the City prior to such change. Any exterior signage shall conform to the City's Sign Ordinance and be approved by the City prior to installation.

(9) Exterior lighting shall be limited to the LED canopy lights and the 15-foot pole lights, also LED. No additional outdoor lighting shall be permitted without the prior written approval of the City of Clayton.

(10) No outdoor music or speakers shall be permitted in association with the drive-through facility permitted hereby or outside the main building on the premises.

(11) That the Permittee shall, within thirty (30) days of the adoption of the Resolution, notify the City Clerk of the City of Clayton in writing that the conditional use permit provided for is accepted and that the conditions set forth herein are understood and will be complied with.

(12) That Permittee's failure to comply with any of the conditions provided for in the Resolution may cause immediate termination of the permit.

Section 3. The City Manager of the City of Clayton is hereby authorized and directed to issue a conditional use permit in accordance with the provisions of this Resolution. Said permit shall contain all of the conditions and stipulations set out in Section 2 of this Resolution.

Adopted this 28th day of March, 2017

Mayor

ATTEST:

City Clerk



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR SANGER; BOARD OF ALDERMEN
FROM: CRAIG OWENS, CITY MANAGER
DATE: MARCH 28, 2017
SUBJECT: ORDINANCE - AUTHORIZING THE CITY TO JOIN THE MISSOURI CLEAN ENERGY DISTRICT AND SHOW ME PACE PURSUANT TO THE PROPERTY ASSESSMENT CLEAN ENERGY ACT

Property Assessed Clean Energy (PACE) financing is a program available to commercial and residential property owners. The program provides financing for all upfront costs of eligible energy efficient upgrades, renewable energy upgrades and energy audits for homes and businesses.

There are currently three PACE programs operating in Missouri. The Show Me PACE Clean Energy District, available throughout the state, is administered by the Missouri Energy Initiative. The Missouri Clean Energy District (MCED) is available throughout the state and is administered by Missouri Clean Energy Funding (MoCEF). The City of St. Louis has created a program called Set the PACE St. Louis which is administered by Energy Equity Funding. Municipalities may belong to more than one clean energy district.

Local governments who participate in a PACE program give their commercial and residential property owners access to funding for energy efficiency projects, renewable energy projects and water conservation projects, – with no cost or liability for the sponsoring municipality and without using any public funds. Property owners can receive 100% of their project cost upfront and then repay the financing through annual property assessments over the course of 10 to 20 years. The lien provides strong debt collateral in the event a property owner defaults on the assessment. Additionally, since the financing is tied to the property, upon its sale the remaining tax liability transfers with ownership and the energy savings are passed along to the next owner.

RECOMMENDATION: To approve the ordinance.

BILL NO. 6606

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY OF CLAYTON, MISSOURI TO JOIN SHOW ME PACE AND TO JOIN MISSOURI CLEAN ENERGY DISTRICT, PURSUANT TO SECTIONS §67.2800 TO §67.2835, RSMO, THE "PROPERTY ASSESSED CLEAN ENERGY ACT," STATING THE TERMS UNDER WHICH THE CITY WILL CONDUCT ACTIVITIES AS A MEMBER OF SUCH DISTRICT, AND APPROVING RELATED COOPERATIVE AGREEMENTS AND BYLAWS

WHEREAS, the 95th General Assembly of the State of Missouri has adopted the Property Assessment Clean Energy Act, Sections 67.2800 to 67.2835, Revised Statutes of Missouri (the "PACE Act"); and

WHEREAS, it is in the best interests of the health, safety, and welfare of the City of Clayton, Missouri and its local businesses and residents to encourage the development, production, and efficient use of clean energy and renewable energy, as well as the installation of energy efficiency improvements to eligible publicly and privately owned real property; and

WHEREAS, the primary intent of funding energy efficiency and renewable energy improvements pursuant to the PACE Act is to promote the public purposes described above; and

WHEREAS, Section §67.2810.1, RSMo authorizes one or more Municipalities (as defined in Section §67.2800.7, RSMo) to establish a Clean Energy Development Board to initiate and administer a Property Assessed Clean Energy ("PACE") Program so that owners of qualifying property can access funding for energy efficiency improvements or renewable energy improvements to such properties located in such Municipalities; and

WHEREAS, on June 15, 2015, a clean energy development board named Show Me PACE was created with the intention that all Municipalities within the State of Missouri would be eligible to join and participate by approving an appropriate ordinance or resolution; and

WHEREAS, on January 3, 2011, a clean energy development board now named the Missouri Clean Energy District was created with the intention that all Municipalities within the State of Missouri would be eligible to join and participate by approving an appropriate ordinance or resolution; and

WHEREAS, it is in the best interests of the City of Clayton, Missouri and its local businesses and residents to join and participate in Show Me PACE and join and participate in Missouri Clean Energy District;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

SECTION 1: The City hereby approves and authorizes joining and participating in Show Me PACE and joining and participating in the Missouri Clean Energy District based on the following:

A. Title and Definitions.

1. *Title.* This Ordinance shall be known and may be cited as "The City of Clayton, Missouri Property Assessed Clean Energy Ordinance."
2. *Definitions.* Except as specifically defined below, words and phrases used in this Ordinance shall have their customary meanings. Words and phrases defined in Section 67.2800.2 of the Missouri Revised Statutes, as amended, shall have their defined meanings when used in this Ordinance. As used in this Ordinance, the following words and phrases shall have the meanings indicated.
 - a. "Show Me PACE" means the Show Me PACE District.
 - b. "MCED" means the Missouri Clean Energy District.
 - c. "Districts" means both Show Me PACE and Missouri Clean Energy District.
 - d. "PACE Assessment" means a special assessment made against qualifying property in consideration of PACE Funding.
 - e. "PACE Funding" means funds provided to the owner(s) of Qualifying Property by the District for an energy efficiency or renewable energy improvement.
 - f. "Qualifying Property" means real property located in the City of Clayton, Missouri that satisfies the criteria set forth in the PACE Act.

B. Program Administration. Eligible Clayton Property owners may independently select either Show Me PACE or MCED to serve as program administrator on a project by project basis. Both Districts shall each independently administer the functions of a PACE program for their projects within the City by:

1. providing property owners with an application to apply for PACE Funding;
2. developing standards for the approval of projects submitted by Qualifying Property owners;
3. reviewing applications and selecting qualified projects;
4. entering into Assessment Contracts with Qualifying Property owners;

5. providing a copy of each executed Notice of Assessment to the County Assessor and causing a copy of each such Notice of Assessment to be recorded in the real estate records of the Recorder of Deeds for the County;
6. authorizing and disbursing PACE Funding to the Qualifying Property owners;
7. receiving the PACE Assessment from the County Collector;
8. recording any lien, if needed, due to nonpayment of a PACE Assessment;
9. exercising all powers granted by Section 67.2810.2 of the Missouri Revised Statutes, as amended, including, but not limited to, the power to levy and collect the PACE Assessment pursuant to an Assessment Contract with a Qualifying Property owner[and
- 10.to protect the rights of property owners who participate in the PACE Programs, and to ensure the integrity of the PACE Programs and the good name of City of Clayton, City of Clayton hereby authorizes and requires that the Districts and/or any PACE Program which operates in City of Clayton shall adhere to the then current Consumer Protection Policy adopted by the District."

C. Liability of City Officials; Liability of City. Notwithstanding any other provision of law to the contrary, the City and St. Louis County and their employees, officers and elected and appointed officials, shall not be liable in either their personal or official capacity to any person for claims, of whatever kind or nature, under or related to the City's participation in the PACE program, including, without limitation, claims for or related to uncollected PACE Assessments. The City of Clayton, Missouri, has no liability to a property owner for or related to energy savings improvements funded under a PACE Program. The District shall for all purposes be considered an independent entity and shall not be considered a political subdivision of the City of Clayton, Missouri.

D. Existing Laws Not Superseded. Any project or improvement at any Qualifying Property which is funded in whole or in part of PACE Funding shall be subject to all laws, ordinances, rules and regulations in effect at that time.

E. City as a Non-Party. The City of Clayton, Missouri shall not be a party to any PACE Funding agreement, loan, or other commitment, however denominated, executed between the District and the owner(s) (or their representatives, together with any successors and assigns) of any Qualifying Property.

SECTION 2: The City of Clayton, Missouri, declares its intent that the provisions of this Ordinance shall be in conformity with federal and state laws. The City enacts this Ordinance pursuant to Sections 67.2800 to 67.2835 of the Missouri Revised Statutes, as amended. The City of Clayton, Missouri, reserves the right and authority to withdraw from ongoing participation in either or both Show Me PACE and MCED upon written notice, subject to the continuation of any outstanding Assessment Contracts until expiration or termination thereof.

SECTION 3: The City of Clayton, Missouri, does hereby request that it be approved by the Board of Directors of Show Me PACE and by the Board of Directors of MCED as a duly authorized participant in the Districts, subject to the terms and conditions hereof.

SECTION 4: The election of the City of Clayton, Missouri, to join the Districts shall in no way constitute an obligation of the City necessitating any corresponding appropriation.

SECTION 5: The City Clerk is hereby authorized to deliver a duly executed copy of this Ordinance to the Board of Directors of each of the Districts or its designee, together with the jurisdictional and geographic boundaries of the City for inclusion in the jurisdictional and geographic boundaries of the Districts.

SECTION 6: The Cooperative Agreement between Show Me Pace and the City of Clayton attached hereto as **Exhibit 1** and the bylaws referenced therein are hereby approved. The City Manager is authorized to execute the agreements and the City Clerk is authorized to attest thereto. The agreement as executed shall be substantially in the form attached hereto as **Exhibit 1** subject to final changes consistent with the provisions and intent of this Ordinance, and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Manager and his designated representatives are hereby authorized and directed to take any and all actions necessary, desirable, convenient or proper in order to carry out the intent of this Ordinance, the matters herein authorized, and the rights and duties of the City under the agreement.

SECTION 7: This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED this 28th day of March 2017 by the Board of Aldermen of Clayton, Missouri.

City Clerk

ATTEST:

Mayor

EXHIBIT 1

SHOW ME PACE COOPERATIVE AGREEMENT

SHOW ME PACE COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT (this "Cooperative Agreement") is made and entered into by Show Me PACE, a Missouri clean energy development board ("Show Me PACE") and the City of Clayton, Missouri ("Municipality").

RECITALS

WHEREAS, on June 15, 2015, the Board of Aldermen of the City of Bel-Nor adopted Ordinance No. 919, creating Show Me PACE, pursuant to Sections 67.2800 to 67.2835 of the Revised Statutes of Missouri (the "PACE Act"); and

WHEREAS, pursuant to Section 67.2810 of the PACE Act, more than one municipality may form a clean energy development board; and

WHEREAS, clean energy development boards serving more than one municipality are in the best interest of the participating municipalities because it allows for economies of scale and concentrations of expertise that will benefit the approval, financing and installation of energy efficient and renewable energy improvements pursuant to the PACE Act; and

WHEREAS, other municipalities may participate in Show Me PACE by adoption of an ordinance in accordance with the PACE Act and execution of this Cooperative Agreement;

AGREEMENT

NOW THEREFORE, in consideration of each municipality's participation in Show Me PACE, Municipality and Show Me PACE hereby agree as follows:

- 1. Representations.** Municipality has taken all legislative actions necessary to approve such Municipality's participation in Show Me PACE, and this Agreement is subject to the provisions thereof.
- 2. Approval of Bylaws.** The current bylaws of Show Me PACE (the "Bylaws") have been provided to the Municipality and the Municipality approves such Bylaws.
- 3. Board of Directors.** The members of the Board of Directors of Show Me PACE shall be appointed in the manner described in the Bylaws.
- 4. Clean Energy Development Board Powers.** Municipality agrees that Show Me PACE is authorized to exercise all clean energy development board powers permitted by the PACE Act or other statute within the boundaries of the Municipality.

5. Counterparts. No action from any Municipality already participating in Show Me PACE shall be required for a new Municipality to participate in Show Me PACE.

6. Withdrawal. Municipality shall not withdraw from participation in Show Me PACE if such withdrawal will impact any existing property assessment clean energy financing undertaken by Show Me PACE in the Municipality's boundaries. However, Municipality may otherwise withdraw from and discontinue participation upon request, in writing, that Show Me PACE no longer undertake clean energy financing in the Municipality's boundaries.

IN WITNESS WHEREOF, Show Me PACE and Municipality have caused this Cooperative Agreement to be executed as of the dates shown below:

Date: _____, 2016

SHOW ME PACE

By: _____
Josh Campbell, J.D., President

Date: _____, 2016

City of Clayton

Adopted Ordinance No. ____ joining
Show Me PACE on ____ __, 20__

By: _____
Name: Craig S. Owens
Title: City Manager



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR SANGER; BOARD OF ALDERMEN
FROM: CRAIG S. OWENS, CITY MANAGER (CSO)
KEVIN MURPHY, CHIEF OF POLICE
DATE: MARCH 28, 2017
SUBJECT: ORDINANCE – AN AMENDMENT TO ARTICLE XIII OF CHAPTER 215 OF
THE CLAYTON CITY CODE TO INCREASE THE MINIMUM AGE TO
ACQUIRE TOBACCO PRODUCTS TO TWENTY-ONE YEARS

To come into compliance with the Missouri State Statutes revisions, the Board of Aldermen recently approved revisions to Chapter 215, Offenses which included revisions to Article XIII, Offenses Concerning Tobacco.

St. Louis County has enacted new health regulations changing the age for tobacco purchase and possession from 18 to 21 (Ordinance 26,522) while Clayton's Code currently allows tobacco purchase and possession to occur at 18 years of age. Under the direction of the City Attorney, staff recommends that the Board approve an amendment to bring the age of purchase limitation in line with St. Louis County.

BILL NO. 6607

ORDINANCE NO.

**AN ORDINANCE AMENDING ARTICLE XIII OF CHAPTER 215 OF THE
CLAYTON CITY CODE TO INCREASE THE MINIMUM AGE TO
ACQUIRE TOBACCO PRODUCTS TO TWENTY-ONE YEARS**

WHEREAS, it is no longer subject to debate that smoking is injurious to health and that smoking is a genuine threat to public health, safety and welfare; and

WHEREAS, the younger a person is when they are first exposed to tobacco use the greater risk to their wellbeing; and

WHEREAS, the Board of Aldermen wants to do all in its power to protect the most vulnerable victims of smoking and tobacco;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

Section One. Sections 215.610 through 215.670 of Article XIII of Chapter 215 of the Code of Ordinances of the City of Clayton, Missouri, are hereby repealed and new Section 215.610 through 215.670 are here by enacted in lieu thereof, to read as follows:

Chapter 215. Offenses

Article XIII. Offenses Concerning Tobacco

Section 215.610. Definitions

For purposes of this Article, the following definitions shall apply:

ALTERNATIVE NICOTINE PRODUCT

Any non-combustible product containing nicotine that is intended for human consumption, whether chewed, absorbed, dissolved, or ingested by any other means. Alternative nicotine product does not include any vapor product, tobacco product or any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.

DISTRIBUTE

A conveyance to the public by sale, barter, gift or sample

MINORA person under the age of twenty-one (21).

PROOF OF AGE

A driver's license or other generally accepted means of identification that contains a picture of the individual and appears on its face to be valid.

ROLLING PAPERS

Paper designed, manufactured, marketed or sold for use primarily as a wrapping or enclosure for tobacco which enables a person to roll loose tobacco into a smokeable cigarette.

SAMPLE

A tobacco product distributed to members of the general public at no cost or at nominal cost for product promotional purposes.

SAMPLING

The distribution to members of the general public of tobacco product samples.

TOBACCO PRODUCTS

Any substance containing tobacco leaf including, but not limited to, cigarettes, cigars, pipe tobacco, snuff, chewing tobacco or dipping tobacco.

VAPOR PRODUCT

Any non-combustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. Vapor product includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. Vapor product does not include any alternative nicotine product or tobacco product.

Section 215.620. Unlawful To Sell or Distribute Tobacco Products, Alternative Nicotine Products, Vapor Products, or Rolling Papers To Minors — Vending Machine Requirements

A. It shall be unlawful for any person to sell, provide or distribute tobacco products, alternative nicotine products, vapor products, or rolling papers to persons under twenty-one (21) years of age.

B. All vending machines that dispense tobacco products, alternative nicotine products, vapor products, or rolling papers shall be located within the unobstructed line of sight and under the direct supervision of an adult responsible for preventing persons less than twenty-one (21) years of age from purchasing

any tobacco product from such machine or shall be equipped with a lock-out device to prevent the machines from being operated until the person responsible for monitoring sales from the machines disables the lock. Such locking device shall be of a design that prevents it from being left in an unlocked condition and which will allow only a single sale when activated. A locking device shall not be required on machines that are located in areas where persons less than twenty-one (21) years of age are not permitted or prohibited by law. An owner of an establishment whose vending machine is not in compliance with the provisions of this Subsection shall be subject to the penalties contained in Subsection (E) of this Section. A determination of non-compliance may be made by a local law enforcement agency or the Division of Liquor Control. Nothing in this Section shall apply to a vending machine if located in a factory, private club or other location not generally accessible to the general public.

C. No person or entity shall sell, provide or distribute any tobacco, alternative nicotine product, vapor product, or rolling papers to any minor or sell any individual cigarettes to any person in this State. This Subsection shall not apply to the distribution by family members on property that is not open to the public.

D. Any person, including, but not limited to, a sales clerk, owner or operator, who violates Subsections (A), (B) or (C) of this Section or Section 215.650 of this Article shall be penalized as follows:

1. For the first (1st) offense, twenty-five dollars (\$25.00);
2. For the second (2nd) offense, one hundred dollars (\$100.00); and
3. For a third (3rd) and subsequent offense, two hundred fifty dollars (\$250.00).

E. Any owner of the establishment where tobacco products, alternative nicotine products, vapor products, or rolling papers are available for sale who violates Subsection (C) of this Section shall not be penalized pursuant to this Section if such person documents the following:

1. An in-house or other tobacco compliance employee training program was in place to provide the employee with information on the State and Federal regulations regarding tobacco sales to minors. Such training program must be attended by all employees who sell tobacco products to the general public;
2. A signed statement by the employee stating that the employee has been trained and understands the State laws and Federal regulations regarding the sale of tobacco to minors; and

3. Such in-house or other tobacco compliance training meets the minimum training criteria, which shall not exceed a total of ninety (90) minutes in length, established by the Division of Alcohol and Tobacco Control.

F. The exemption in Subsection (E) of this Section shall not apply to any person who is considered the general owner or operator of the outlet where tobacco products are available for sale if:

1. Four (4) or more violations per location of Subsection (C) of this Section occur within a one (1) year period; or
2. Such person knowingly violates or knowingly allows his/her employees to violate Subsection (C) of this Section.

G. If a sale is made by an employee of the owner of an establishment in violation of this Article, the employee shall be guilty of an offense established in Subsections (A), (B) and (C) of this Section. If a vending machine is in violation of Section 215.650, the owner of the establishment shall be guilty of an offense established in Subsections (C) and (D) of this Section. If a sample is distributed by an employee of a company conducting the sampling, such employee shall be guilty of an offense established in Subsections (C) and (D) of this Section.

H. A person cited for selling, providing or distributing any tobacco product to any individual less than twenty-one (21) years of age in violation of Subsections (A), (B) or (C) of this Section shall conclusively be presumed to have reasonably relied on proof of age of the purchaser or recipient, and such person shall not be found guilty of such violation if such person raises and proves as an affirmative defense that such individual presented a driver's license or other government-issued photo identification purporting to establish that such individual was twenty-one (21) years of age or older.

Section 215.630. Minors Prohibited From Purchase or Possession of Tobacco Products, Alternative Nicotine Products, Vapor Products or Rolling Papers — Misrepresentation of Age

A. No person less than twenty-one (21) years of age shall purchase, attempt to purchase or possess cigarettes, other tobacco products, alternative nicotine products, vapor products, or rolling papers unless such person is an employee of a seller of cigarettes or tobacco products and is in such possession to effect a sale in the course of employment or an employee of the Division of Liquor Control for enforcement purposes pursuant to Subsection (5) of Section 407.934, RSMo.

B. Any person less than twenty-one (21) years of age shall not misrepresent his/her age to purchase cigarettes, tobacco products, alternative nicotine products, vapor products, or rolling papers.

C. Any person who violates the provisions of this Section shall be penalized as follows:

1. For the first (1st) violation, the person is guilty of an infraction and shall have any cigarettes, tobacco products, alternative nicotine products, vapor products, or rolling papers confiscated;
2. For a second (2nd) violation and any subsequent violations, the person is guilty of an infraction, shall have any cigarettes, tobacco products, alternative nicotine products, vapor products, or rolling papers confiscated and shall complete a tobacco education or smoking cessation program, if available.

Section 215.640. Retail Sales Tax License Required For Sale of Tobacco Products, Alternative Nicotine Products, Vapor Products or Rolling Papers.

No person shall sell cigarettes, tobacco products, alternative nicotine products, vapor products, or rolling papers unless the person has a retail sales tax license and a business license authorize such sales from the City of Clayton.

Section 215.650. Required Sign Stating Violation of State Law To Sell Tobacco To Minors Under Age Twenty-One — Display of Sign Required Where

A. The owner of an establishment at which tobacco products or rolling papers are sold at retail or through vending machines shall cause to be prominently displayed in a conspicuous place at every display from which tobacco products are sold and on every vending machine where tobacco products are purchased a sign that shall:

1. Contain in red lettering at least one-half ($\frac{1}{2}$) inch high on a white background the following:

"IT IS A VIOLATION OF LAW FOR CIGARETTES OR OTHER TOBACCO PRODUCTS TO BE SOLD OR OTHERWISE PROVIDED TO ANY PERSON UNDER THE AGE OF TWENTY-ONE OR FOR SUCH PERSON TO PURCHASE, ATTEMPT TO PURCHASE OR POSSESS CIGARETTES OR OTHER TOBACCO PRODUCTS"; and

2. Include a depiction of a pack of cigarettes at least two (2) inches high defaced by a red diagonal diameter of a surrounding red circle and the words "Under 21".

Section 215.660. Restrictions On Sales of Individual Packs of Cigarettes

A. No person or entity shall sell individual packs of cigarettes or smokeless tobacco products unless such packs satisfy one (1) of the following conditions prior to the time of sale:

1. It is sold through a vending machine; or
2. It is displayed behind the checkout counter or it is within the unobstructed line of sight of the sales clerk or store attendant from the checkout counter.

Section 215.670. Proof of Age Required — When Defense To Action For Violation Is Reasonable Reliance On Proof — Liability

A. A person or entity selling tobacco products, alternative nicotine products, vapor products, or rolling papers or distributing tobacco product, alternative nicotine product, or vapor product samples shall require proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that such prospective purchaser or recipient may be under the age of twenty-one (21) years.

B. The operator's or chauffeur's license issued pursuant to the provisions of Section 302.177, RSMo., or the operator's or chauffeur's license issued pursuant to the laws of any State or possession of the United States to residents of those States or possessions, or an identification card as provided for in Section 302.181, RSMo., or the identification card issued by any uniformed service of the United States, or a valid passport shall be presented by the holder thereof upon request of any law enforcement agent or any owner or employee of an establishment that sells tobacco, alternative nicotine products, vapor products, or rolling papers for the purpose of aiding the registrant, agent or employee to determine whether or not the person is at least twenty-one (21) years of age when such person desires to purchase or possess tobacco products, alternative nicotine products, vapor products, or rolling papers procured from a registrant. Upon such presentation, the owner or employee of the establishment shall compare the photograph and physical characteristics noted on the license, identification card or passport with the physical characteristics of the person presenting the license, identification card or passport.

C. Any person who shall, without authorization from the Department of Revenue, reproduce, alter, modify or misrepresent any chauffeur's license, motor vehicle operator's license or identification card shall be deemed guilty of a misdemeanor.

D. Reasonable reliance on proof of age or on the appearance of the purchaser or recipient shall be a defense to any action for a violation of Subsections (A), (B) and (C) of Section 215.620 of this Article. No person shall be liable for more than one (1) violation of Subsections (B) and (C) of Section 215.620 on any single day.

Section Two. The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered in the process of recodifying or servicing the City's Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

Section Three. It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section Four. This Ordinance shall be in full force and effect both from and after its passage by the Board of Aldermen.

Passed by the Board of Aldermen this _____ day of _____, 2017.

Mayor

Attest:

City Clerk



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR SANGER; BOARD OF ALDERMEN
FROM: CRAIG S. OWENS, CITY MANAGER
JUNE FRAZIER, CITY CLERK
DATE: MARCH 28, 2016
SUBJECT: APPOINTMENT TO THE PUBLIC ART ADVISORY COMMITTEE (PAAC)

Due to the recent resignation of Ward 1 representative Barbara Eagleton, Ward 1 has nominated Carmon Colangelo as representative to complete Ms. Eagleton's term ending June 30, 2017.

Recommendation: To consider the appointment.